No. 26-14146
CAIR-Foundation, Inc., et al. v. DeSantis, et al.
United States Court of Appeals for the Eleventh Circuit

SUPPLEMENTAL APPENDIX
TABLE OF CONTENTS

Exhibit A: Declaration of Jessica Craine in Support of Defendants' Opposition to Plaintiffs' Emergency Motion for a Preliminary Injunction (Oct. 12, 2026), ECF No. 55-1.....Supp.App.1

Exhibit B: *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary*, 119th Cong. (2026) (written testimony of Lara L. Burns, Senior Research Fellow, Program on Extremism, The George Washington University), ECF No. 55-2 (Craine Decl., Ex. 16).....Supp.App.9

Exhibit C: *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary*, 119th Cong. (2026) (written testimony of Kyle Shideler, Director and Senior Analyst for Homeland Security and Counterterrorism, Center for Security Policy), ECF No. 55-2 (Craine Decl., Ex. 18).....Supp.App.53

Exhibit D: Plaintiffs' Emergency Motion for a Preliminary Injunction (Oct. 2, 2026), ECF No. 6..... Supp.App.61

Exhibit E: Complaint (Oct. 1, 2026), ECF No. 1..... Supp.App.118

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CAIR-FOUNDATION, INC. and CAIR-FLORIDA, INC.,

Plaintiffs,

v.

RON DESANTIS, *et al.*,

Defendants.
_____/

Case No. 4:26-cv-521-MW-MAF

DECLARATION OF JESSICA CRAINE IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' EMERGENCY MOTION FOR A PRELIMINARY INJUNCTION

I, Jessica Craine, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a citizen of the United States and a resident of Louisiana. I am an attorney for Defendants in this action and make this declaration in support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction, for the purpose of introducing certain documents into the record in this case.

2. Attached as Exhibit 1 of the Appendix to this Declaration is a true and correct copy of the Notice of Intent sent by Florida's Chief of Domestic Security.

4. Attached to this Declaration as Exhibit 2 in the Appendix is a true and correct copy of Government Exhibit, Philly Meeting Summary, 3:04-CR-240-G, *U.S. v. HLF, et al.* (last visited Oct. 11, 2026)

https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/philly-meeting-summary.pdf, *available at* https://perma.cc/N79D-H8GG.

5. Attached to this Declaration as Exhibit 3 in the Appendix is a true and correct copy of Government Exhibit, Philly Meeting – 4, 3:04-CR-240-G, *U.S. v. HLF, et al.* (last visited Oct. 11, 2026) https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%204.pdf, *available at* https://perma.cc/M3EY-HHNA.

6. Attached to this Declaration as Exhibit 4 in the Appendix is a true and correct copy of Government Exhibit, Ashqar Search – 4, 3:04-CR-240-G, *U.S. v. HLF, et al.* https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Ashqar_Search_4.pdf, *available at* https://perma.cc/77HL-U9MG.

7. Attached to this Declaration as Exhibit 5 in the Appendix is a true and correct copy of *Foreign Terrorist Organizations*, BUREAU OF COUNTERTERRORISM, U.S. DEPT. OF ST. (last visited Oct. 11, 2026) https://www.state.gov/foreign-terrorist-organizations/, *available at* https://perma.cc/TMG4-JPPD.

8. Attached to this Declaration as Exhibit 6 in the Appendix is a true and correct copy of *Sanctions Search List*, OFF. OF FOREIGN ASSETS CONTROL (last visited Oct. 11, 2026) https://sanctionssearch.ofac.treas.gov/?SEQ=sanctions+list+search, *available at* https://perma.cc/N88Z-PGW2.

9. Attached to this Declaration as Exhibit 7 in the Appendix is a true and correct copy of Search Results for "Holy Land Foundation", *Sanctions Search List*, OFF. OF FOREIGN ASSETS CONTROL (last visited Oct. 11, 2026) https://sanctionssearch.ofac.treas.gov/Details.aspx?id=7116 (type "Holy Land Foundation" in "Name" field, click "Search", then click on link under "Lookup Results: 1 Found"), *available at* https://perma.cc/2SL9-53SG.

10. Attached to this Declaration as Exhibit 8 in the Appendix is a true and correct copy of Press Release, U.S. Att'y N.D. Tex., Infocom Corporation and Its Operators Sentenced in Federal Court: Elashi Brothers Convicted for Doing Business with Terrorist (Oct. 13, 2006) https://www.justice.gov/archive/usao/txn/PressRel06/elashi_bayan_ghassan_basman_infocom_sent_pr.html, *available at* https://perma.cc/5BXG-HRCF.

11. Attached to this Declaration as Exhibit 9 in the Appendix is a true and correct copy of Press Release, Off. of Pub. Affs., U.S. Dept. of Just., Federal Judge Hands Downs Sentences in Holy Land Foundation Case (May 27, 2009) https://www.justice.gov/archives/opa/pr/federal-judge-hands-downs-sentences-holy-land-foundation-case, *available at* https://perma.cc/M7S5-SGH8.

12. Attached to this Declaration as Exhibit 10 in the Appendix is a true and correct copy of *Targeted Financial Sanctions: Local Terrorist List*, UAE EXECUTIVE OFFICE FOR CONTROL & NON-PROLIFERATION (last visited Oct. 11, 2026)

https://www.uaeiec.gov.ae/en-us/un-page?p=1#, *available at* https://perma.cc/9G3Z-3JFP (webpage).

13. Attached to this Declaration as Exhibit 10-1 in the Appendix is a true and correct copy of *Local Terrorist List*, UAE EXECUTIVE OFFICE FOR CONTROL & NON-PROLIFERATION from https://www.uaeiec.gov.ae/en-us/un-page?p=1#, *available at* https://perma.cc/7GHV-VS5H (chart).

14. Attached to this Declaration as Exhibit 11 in the Appendix is a true and correct copy of Press Statement, Marco Rubio, Sec. of St., Two-Year Anniversary of October 7th Attack (Oct. 7, 2025) https://www.state.gov/releases/office-of-the-spokesperson/2025/10/two-year-anniversary-of-october-7th-attack, *available at* https://perma.cc/QK53-7JD2.

15. Attached to this Declaration as Exhibit 12 in the Appendix is a true and correct copy of *The Path to October 7: How Iran Built Up and Managed a Palestinian 'Axis of Resistance'*, COMBATTING TERRORISM CENTER AT WEST POINT (last visited Oct. 11, 2026) https://ctc.westpoint.edu/the-path-to-october-7-how-iran-built-up-and-managed-a-palestinian-axis-of-resistance/, *available at* https://perma.cc/43HZ-7YHM.

16. Attached to this Declaration as Exhibit 12-1 in the Appendix is a true and correct copy of Phillip Smyth, *The Path to October 7: How Iran Built Up and Managed a Palestinian 'Axis of Resistance'* at 25, CTC SENTINEL (Dec. 2023), from

https://ctc.westpoint.edu/the-path-to-october-7-how-iran-built-up-and-managed-a-palestinian-axis-of-resistance/, *available at* https://perma.cc/F8DR-UTTM.

17. Attached to this Declaration as Exhibit 13 in the Appendix is a true and correct copy of Adam Rasgon, *Hamas Official Expresses Reservations About Oct. 7 Attack on Israel*, N.Y. TIMES (Feb. 24, 2025) https://www.nytimes.com/2025/02/24/world/middleeast/hamas-official-interview-attack-israel.html, *available at* https://perma.cc/QGC8-KFA3.

18. Attached to this Declaration as Exhibit 14 in the Appendix is a true and correct copy of Johanna Chisholm, *US-Israeli hostage reunites with family after being freed by Hamas*, BBC NEWS (May 12, 2025) https://www.bbc.com/news/articles/c4gr2qvzn0no, *available at* https://perma.cc/R794-Z5F4.

19. Attached to this Declaration as Exhibit 15 in the Appendix is a true and correct copy of *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts.*, S. COMM. ON THE JUDICIARY (last visited Oct. 11, 2026) https://www.judiciary.senate.gov/committee-activity/hearings/hidden-in-plain-sight-confronting-the-muslim-brotherhood-network-in-america-08-05-2026, *available at* https://perma.cc/3MPJ-KNYG (webpage); https://perma.cc/QH7L-GN2R (unofficial transcript).

20. Attached to this Declaration as Exhibit 16 in the Appendix is a true and correct copy of *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary,* 119th Cong. (2026) (written testimony of Lara L. Burns, Senior Research Fellow, Program on Extremism The George Washington University), from https://www.judiciary.senate.gov/committee-activity/hearings/hidden-in-plain-sight-confronting-the-muslim-brotherhood-network-in-america-08-05-2026, *available at* https://perma.cc/P82E-4ANS.

21. Attached to this Declaration as Exhibit 17 in the Appendix is a true and correct copy of *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary,* 119th Cong. (2026) (written testimony of Arielle F. Klepach, Senior Litigation Counsel, National Jewish Advocacy Center), from https://www.judiciary.senate.gov/committee-activity/hearings/hidden-in-plain-sight-confronting-the-muslim-brotherhood-network-in-america-08-05-2026, *available at* https://perma.cc/W9U6-S8NG.

22. Attached to this Declaration as Exhibit 18 in the Appendix is a true and correct copy of *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary,* 119th Cong. (2026) (written

testimony of Kyle Shideler, Director and Senior Analyst for Homeland Security and Counterterrorism, Center for Security Policy), from https://www.judiciary.senate.gov/committee-activity/hearings/hidden-in-plain-sight-confronting-the-muslim-brotherhood-network-in-america-08-05-2026, *available at* https://perma.cc/87XG-AWJ7.

23. Attached to this Declaration as Exhibit 19 in the Appendix is a true and correct copy of *Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America: Hearing Before the Subcomm. on Fed. Cts., Oversight, Agency Action, & Fed. Rts. of the S. Comm. on the Judiciary,* 119th Cong. (2026) (appendices to written testimony of Kyle Shideler, Director and Senior Analyst for Homeland Security and Counterterrorism, Center for Security Policy), from https://www.judiciary.senate.gov/committee-activity/hearings/hidden-in-plain-sight-confronting-the-muslim-brotherhood-network-in-america-08-05-2026, *available at* https://perma.cc/97WP-VFB7.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on October 12, 2026

/s/ Jessica Craine

Jessica Craine

Attorney for Defendants

EXHIBIT B

Exhibit 16



HIDDEN IN PLAIN SIGHT: CONFRONTING THE MUSLIM BROTHERHOOD NETWORK IN AMERICA

Lara L. Burns

PROGRAM ON EXTREMISM The George Washington University

Hidden in Plain Sight: Confronting the Muslim Brotherhood Network in America

Written Testimony of

Lara L. Burns

Senior Research Fellow, Program on Extremism

The George Washington University

Committee on the Judiciary

U.S. Senate

August 5, 2026

Chairman Cruz, Ranking Member Whitehouse, esteemed members of the Committee:

Thank you for the opportunity to testify on the topic of confronting the Muslim Brotherhood network in America.

Introduction

In a 2008 federal trial[1], the Texas-based Holy Land Foundation for Relief and Development (HLF) and five of its officials were convicted of providing material support to Hamas. At that trial, the government introduced extensive evidence about the Muslim Brotherhood and Hamas, and that evidence is part of the public record today. The prosecution identified a decades-long conspiracy involving numerous individuals in the United States and abroad, to support Hamas via front organizations in the United States. Those front organizations held different roles in the conspiracy, but all worked cohesively to support Hamas. One of the individuals implicated in the conspiracy, Ismail Elbarasse, was the subject of a federal search warrant in 2004 (hereinafter the *Elbarasse Search)* wherein the FBI discovered and seized an archive of US Muslim Brotherhood records, many of which were admitted as evidence at the HLF trial. I have intimate knowledge about this network as I am a retired FBI Special Agent who worked counterterrorism matters for over 22 years and led the HLF investigation between 2001-2008.

The Muslim Brotherhood's presence in the United States began in the 1960s, and quickly evolved into a sophisticated structure which will be discussed more fully herein. The United States Muslim Brotherhood's Palestine Committee served as the original Hamas infrastructure in the United States, initially consisting of the HLF (the fundraising arm), the Islamic Association

[1] In 2007, the *United States v. HLF* trial took place and ended in a mistrial after the jury could not reach a unanimous verdict on all counts. The case was retried in 2008, ending in convictions of all defendants.

for Palestine (IAP, the propaganda arm), and the United Association for Studies and Research (UASR, the think tank). At the trial, still today the largest successful terrorism financing prosecution in American history, the IAP and UASR were identified as unindicted co-conspirators/joint venturers as was the Council on American Islamic Relations (CAIR).[2] Further, many key unindicted individuals and entities in the U.S. were also identified at the trial in witness testimony, search-warrant derived documents, and FBI wire-taps. It is important to note that the HLF and the five officers were convicted in that trial by a jury, a conviction that the defendants appealed on numerous grounds. The convictions were affirmed by the Fifth Circuit Court of Appeals[3] and *certiorari* was denied by the Supreme Court.[4] Allies of this network falsely labeled the HLF defendants as political prisoners, implying they were wrongly imprisoned merely for their beliefs and without acknowledging they were afforded due process, a fair trial with a jury whom their attorneys helped select, a substantial appellate court record and affirmation of the guilty verdicts.[5]

On October 14, 2025, Senator Tom Cotton and Representative Elise Stefanik sent a letter to the Department of Treasury, requesting that Treasury initiate an investigation into CAIR, for any potential ties between CAIR and Hamas (the "Congressional Letter"). CAIR responded with a letter of its own wherein it stated, "CAIR is not and has never been an agent, affiliate, offshoot, subsidiary, supporter, partner, funder, representative, supporter, or pen pal of any militant group." CAIR attacked the "Bush administration's improper listing of over 250 organizations as unindicted coconspirators in the deeply flawed and widely criticized trial of the Holy Land Foundation." In its letter, CAIR stated the government's identification of these groups as co-conspirators was ruled "unconstitutional" by the Fifth Circuit Court of Appeals. That statement is false as the Fifth Circuit made no such ruling.[6] Consistently but falsely, on its website, CAIR disputes its involvement in the conspiracy under "Urban Legend #1: CAIR is part of a conspiracy, sometimes alleged to be a plot hatched by the Muslim Brotherhood, to infiltrate the U.S. government and subvert the U.S. Constitution."[7]

Background

To properly understand the activities and functions of the Muslim Brotherhood and the Islamic Resistance Movement (Hamas) in the U.S., it is essential to examine their origins, goals, and their evolution from Hamas' founding in 1987 through the present. Key events occurred in the early

---

[2] *United States v. El-Mezain*, 664 F.3d 467, 486 (5th Cir. 2011).
[3] *United States v. El-Mezain, et al.* 664 F. 3d 467, 484 (5th Cir. 2011).
[4] *El-Mezain v. United States*, 568 U.S. 977 (2012).
[5] "Nida Abu Baker on the Holy Land 5: 'They put these men in prison because they don't want you in the streets today protesting a genocide,'" *Samidoun: Palestinian Prisoner Solidarity Network*, August 11, 2024 https://samidoun.net/2024/08/nida-abu-baker-on-the-holy-land-5-they-put-these-men-in-prison-because-they-dont-want-you-in-the-streets-today-protesting-a-genocide/
[6] Barry Jonas and Lara Burns, "CAIR's Familiar Dance: Denial and Deflection in the Face of Scrutiny," George Washington University, Program on Extremism, October 2025, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-10/CAIR%E2%80%99s%20Familiar%20Dance.pdf
[7] https://www.cair.com/dispelling-rumors-about-cair/; https://cairtx.org/dispelling-rumors-about-cair/

1990s, when U.S-based Hamas leaders solidified their plan to infiltrate politics, media and universities on behalf of Hamas and to begin seeding a pro-terror, anti-Semitic, anti-Western narrative to the U.S. public. Understanding this evolution is imperative to recognizing how certain current organizations and individuals are intentionally driving pro-terror agendas in the U.S. today.

Short History of the Muslim Brotherhood

A discussion of the activities and functions of Ḥarakat al-Muqāwamah al-ʾIslāmiyyah, the Islamic Resistance Movement (Hamas), warrants examining its mother movement. The Muslim Brotherhood, al-Ikwan al-Muslimin, is arguably the most influential modern-day Islamist movement in the world.[8] Its ideology is based, in large part, on the belief that all aspects of life, society and government should be administered according to a specific, strict interpretation of Islamic law. It should be noted here that Islam is a religion while Islamism is a political ideology;[9] they are not the same and should not be confused.

The Muslim Brotherhood's foundation lies in its grass roots efforts to spread its ideology and win the hearts and minds of a population through a combination of proselytization and the provision of social services (sometimes referred to as *da'wa).*[10] Although the Muslim Brotherhood utilizes the da'wa to further its agenda, it does not reject violence and in certain circumstances supports the use of violent jihad. [11]

The Muslim Brotherhood was founded in 1928 in Egypt by Hassan al-Banna and quickly spread through the Arab world, including the Gaza Strip. The cornerstone of what began as the Muslim Brotherhood's civilian infrastructure in Gaza was Al-Mujama Al-Islami (also known as the Islamic Center or the Islamic Complex), founded by Sheikh Ahmed Yassin in 1973.[12] Other key leaders of Al-Mujama Al-Islami included Abdel Aziz al-Rantisi, Ibrahim al-Yazuri, and Mahmud al-Zahar[13] – all of whom would become senior leaders of Hamas. Al-Jam'iya Al-Islamiyah (also known as the Islamic Society or Islamic Association of Gaza) was another key entity founded by Sheikh Yassin that emerged out of Al-Mujama Al-Islami in 1976.[14] The Muslim Brotherhood in

---

[8] Lorenzo Vidino, *The Muslim Brotherhood in the United Kingdom,* George Washington University, Program on Extremism, December 2015. https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/downloads/MB%20in%20the%20UK.pdf

[9] Soner Cagaptay, "Muslims vs. Islamists," The Washington Institute for Near East Policy, July 8, 2016, https://www.washingtoninstitute.org/policy-analysis/muslims-vs-islamists

[10] Lorenzo Vidino, *The Muslim Brotherhood in the United Kingdom*, George Washington University, Program on Extremism, December 2015. https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/downloads/MB%20in%20the%20UK.pdf
https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/downloads/MB%20in%20the%20UK.pdf

[11] Ziad Abu-Amr, Hamas: A Historical and Political Background, *Journal of Palestine Studies XXII*, no. 4 (Summer 1993) ("Hamas"),

[12] Shaul Mishal & Avraham Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence* (Columbia University Press, 2000 ("*The Palestinian Hamas*"), pp. 18-19.

[13] *See also* Ziad Abu-Amr, *Islamic Fundamentalism in the West Bank and Gaza* (Indiana University Press, 1994) ("*Fundamentalism*"), p. 16.

[14] Mishal & Sela, *The Palestinian Hamas*, p. 20.

Gaza thrived and spread under Yassin's guidance, and by the early 1980s, it had assumed control over the Islamic University of Gaza.[15]

By the early 1960s, the Muslim Brotherhood had built a presence in the U.S., where its members functioned primarily through student unions on college campuses, most particularly through the Muslim Students Association (MSA).[16] The Muslim Brotherhood in the U.S. evolved quickly and by the late 1980s, had a formalized structure, an elected decision making body (the shura council), a presiding official (the Masul El-Am), and numerous covert front organizations whose ostensible purpose was to aid, support, and celebrate the U.S.'s Arab and Muslim community, but were stealthily designed to seed an Islamist narrative and radicalize others.[17]

An Arabic document, drafted by senior U.S. Muslim Brotherhood leader Mohamed Akram (also known as Mohamed Akram Adlouni, hereinafter Mohamed Akram) and entitled "Preliminary Vision for Preparing Future Leadership," was seized in the abovementioned *Elbarasse Search* and introduced as evidence in the HLF trial. The document identified key U.S. Muslim Brotherhood leaders as of 1988. It contained a chart (hereinafter *The 1988 Chart)* of the leadership and their roles.[18] It also contained the names of various front organizations including but not limited to the Islamic Society of North America (ISNA), North American Islamic Trust (NAIT), the Muslim Arab Youth Association (MAYA), and the Muslim Students Association (MSA).

[15] *See also* Abu-Amr, *Hamas*, p. 7.
[16] Ilyas Ba-Yunus and Kassim Kone, *Muslims in the United States* (Greenwood Press, 2006); Steve A. Johnson, "The Muslims of Indianapolis," in Yvonne Yazbeck Haddad and Jane Idleman Smith, eds., *Muslim Communities in North America* (State University of New York Press, 1994);
Government Exhibit Elbarasse Search-2, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/elbarasse_search_2_.pdf
[17] Government Exhibit Elbarasse Search-2, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/elbarasse_search_2_.pdf
[18] Government Exhibit Elbarasse Search-4, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/elbarasse_search_4.pdf

Bate #ISE-SW 1B41/0000858

(*Chart of the capability of the present leadership and the size of task distribution*)

The Apparatuses				THE NAMES									
	1	2	3	4	5	6	7	8	9	10	11	12	13
	2	1	(7*)	(5*)	(5*)	3	1	1	3	4	3	1	1
(1)The Shura	Al-Qadi	Al-Jabri	Subani	Tariq	Mousa	Gaddour	Jaghlit	Talal	Walid	Nasr	Hani	Khalil	Ghani
(2)The office	Al-Qadi	Mousa	Subani	Gaddour	Nazim								
(3)Gaf Dha Ta	Gaddour	Akram	Nasr	Abd-al-Mannan	Al-Haydar								
(4)Institutions	Subani	Bassam	Tariq	Zaki	Hamid	Shawki							
(5)Financial	Nazim	Al-Haydar	Salah	(IL)	Alamoudi								
(6)Political													
(7) The sisters	Abd-al-Mannan	1	2	3									
(8) The planning	Akram	Tariq	Subani	Hani	Nasr								
(9) Legal	Walid	Mousa											
(10) The court	Hanooti	Elmezain	Adam										
(11) Special Committee	Jamal	Bassam	Mousa	Subani	Akram	Tariq							
(12) Social	Elmezain	Sadoun	Hamid										
(13) Curricula	Tariq	Akram	Subani	Hanooti									
(14)Security	Izzat	Khalil	M. Salah	Darwish									
(15) Capabilities	Wisam	Walid	Safwat	Husayn									
(16) Palestine C	Mousa	Subani	Akram	Yasir	Hammud	Isam							
(17) D. Regions	Hani	Nasr	Safwan	Husayn	Safwat	Bashir	Elmezain	Talal					
(18) ISNA	Zaki	Dawud	Imtiyaz	Siddiq	Mraywid	Faysal	Idris	Anwar	Qutbi				
(19) MAYA	Hattab	Shukri	Husayn	Haddad	'Izzat	Al-Sa'id	Rasid	Al-Mashad					
(20) MSA	Ghulam	Riyad	Sati	'Isam	Hamid	Harmush	Farhat	'Abd-al-'Azim	Abd-al-Rahman				
(21) MSG	Husni	Adrus	Abd-al-Latif	'Irfan	Elmezain								
(22) NAIT	Bassam	Jamal	Zaki	Sabir	Masrur	Jabir	Qutbi						
(23) MYNA	Badiyya	Abu Karam	Nidal	Nurashma	Abd-al-Jabbar	Jihad Fahmy	(IL)						
(24) AMSS	Abu Sulayman												
(25)AMSE	Barluma												
(26)IMA	Wahhaj Ahmad												
N} Schools and Education													
E} Communities and Centers													
W} Youth													
Economic C													
	* Tasks size												

(IL)
Usras

United States v. Holy Land Foundation et al., Gov't Exhibit Elbarasse Search-4, Page 5[19]

The U.S. Muslim Brotherhood's agenda was memorialized in a 1991 document entitled "Explanatory Memorandum," (hereinafter *The Explanatory Memorandum*) and written by Mohamed Akram, who is also listed as a senior leader in *The 1988 Chart* and will be discussed further herein. The *Explanatory Memorandum* outlined a strategy, a "Grand *jihad*," to sabotage Western society from within "so that it is eliminated." Attached to it was a list of U.S.-based organizations who could contribute to that mission. Many of those organizations were also included in the *1988 Chart* above, including NAIT, ISNA, MSA, and MAYA among others.

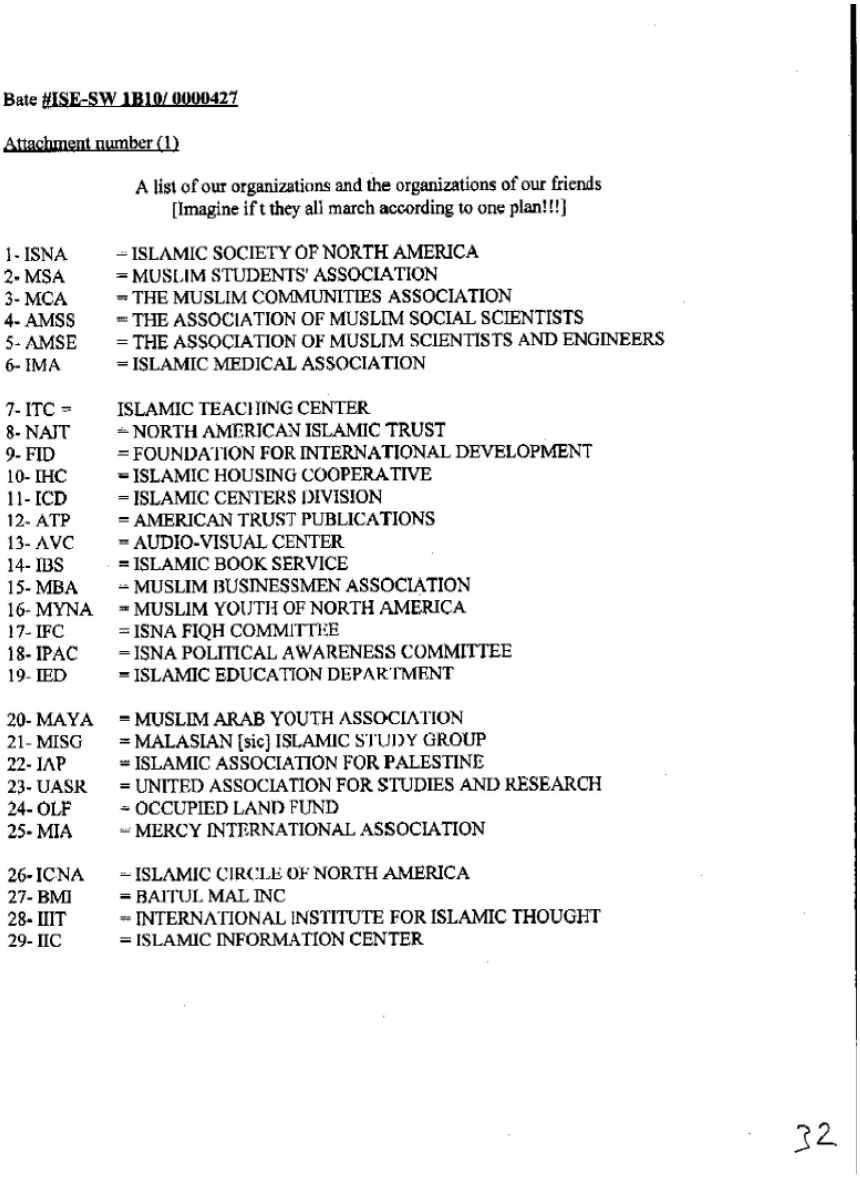
[19] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/elbarasse_search_4.pdf

4- Understanding the role of the Muslim Brother in North America:
The process of settlement is a "Civilization-Jihadist Process" with all the word means. The Ikhwan must understand that their work in America is a kind of grand Jihad in eliminating and destroying the Western civilization from within and "sabotaging" its miserable house by their hands and the hands of the believers so that it is eliminated and God's religion is made victorious over all other religions. Without this level of understanding, we are not up to this challenge and have not prepared ourselves for Jihad yet. It is a Muslim's destiny to perform Jihad and work wherever he is and wherever he lands until the final hour comes, and there is no escape from that destiny except for those who chose to slack. But, would the slackers and the Mujahedeen be equal.

United States v. Holy Land Foundation at al., Excerpt from Gov't Exhibit Elbarasse Search 3.[20]

Attached to *The Explanatory Memorandum* was a list in English entitled, "A list of our organizations and the organizations of our friends."

[20] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/Elbarasse%20Search%203.pdf



Bate #ISE-SW 1B10/ 0000427

Attachment number (1)

A list of our organizations and the organizations of our friends
[Imagine if t they all march according to one plan!!!]

1- ISNA = ISLAMIC SOCIETY OF NORTH AMERICA
2- MSA = MUSLIM STUDENTS' ASSOCIATION
3- MCA = THE MUSLIM COMMUNITIES ASSOCIATION
4- AMSS = THE ASSOCIATION OF MUSLIM SOCIAL SCIENTISTS
5- AMSE = THE ASSOCIATION OF MUSLIM SCIENTISTS AND ENGINEERS
6- IMA = ISLAMIC MEDICAL ASSOCIATION

7- ITC = ISLAMIC TEACHING CENTER
8- NAIT = NORTH AMERICAN ISLAMIC TRUST
9- FID = FOUNDATION FOR INTERNATIONAL DEVELOPMENT
10- IHC = ISLAMIC HOUSING COOPERATIVE
11- ICD = ISLAMIC CENTERS DIVISION
12- ATP = AMERICAN TRUST PUBLICATIONS
13- AVC = AUDIO-VISUAL CENTER
14- IBS = ISLAMIC BOOK SERVICE
15- MBA = MUSLIM BUSINESSMEN ASSOCIATION
16- MYNA = MUSLIM YOUTH OF NORTH AMERICA
17- IFC = ISNA FIQH COMMITTEE
18- IPAC = ISNA POLITICAL AWARENESS COMMITTEE
19- IED = ISLAMIC EDUCATION DEPARTMENT

20- MAYA = MUSLIM ARAB YOUTH ASSOCIATION
21- MISG = MALASIAN [sic] ISLAMIC STUDY GROUP
22- IAP = ISLAMIC ASSOCIATION FOR PALESTINE
23- UASR = UNITED ASSOCIATION FOR STUDIES AND RESEARCH
24- OLF = OCCUPIED LAND FUND
25- MIA = MERCY INTERNATIONAL ASSOCIATION

26- ICNA = ISLAMIC CIRCLE OF NORTH AMERICA
27- BMI = BAITUL MAL INC
28- IIIT = INTERNATIONAL INSTITUTE FOR ISLAMIC THOUGHT
29- IIC = ISLAMIC INFORMATION CENTER

32

United States v. Holy Land Foundation et al., Excerpt from Gov't Exhibit Elbarasse Search-3, Page 18[21]

Muslim Brotherhood Created Hamas

In 1987, an uprising occurred in the Palestinian territories and became known as the *First Intifada*. The Palestinian Liberation Organization (PLO) and its leader Yasser Arafat were seen as leaders of the uprising, but the Muslim Brotherhood recognized it must act or miss an opportunity. It was out of the international Muslim Brotherhood movement that Hamas emerged in the early days of

[21] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-12/Elbarasse%20Search%203.pdf

the First Intifada.[22] In 1988, Hamas published its Covenant, also referred to as its charter.[23] The Covenant revealed Hamas's ultimate goal of destroying the country of Israel through violent jihad. In its preamble, Hamas quoted Muslim Brotherhood founder Hassan al-Banna saying, "…Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it." In Article 13, the Covenant states "there is no solution for the Palestinian question except through Jihad."

Although violent jihad was its ultimate goal, Hamas founded its agenda upon its social infrastructure model whose job it was to radicalize the population through a weaponized combination of social welfare services and Hamas propaganda, in order to radicalize and inspire the population to join the fight. In fact, these activities began prior to the start of the Intifada, in the heart of the original Gaza-based Muslim Brotherhood social and religious institutions mentioned above. In addition to seeking the destruction of Israel, another goal of their hybrid model of violence, propaganda, and welfare was to eliminate and/or sideline other competing Palestinian factions.[24]

Hamas in the United States

The Palestine Committee

In 1988, the International Muslim Brotherhood tasked its chapters, including the Muslim Brotherhood's United States chapter, to form a Palestine Committee in support of Hamas.[25] At the time, a primary leader of the U.S. Muslim Brotherhood was Mousa Abu Marzook who was a college student in Louisiana. Marzook was included in *The 1988 Chart* shown above. From the U.S., he oversaw the operation of the first three U.S.-based Hamas front organizations under the U.S.-Muslim Brotherhood's Palestine Committee as he rose to the senior-most leadership position within Hamas worldwide- the Chief of the Hamas Political Bureau. Marzook remains a leader in the Hamas Political Bureau today.

The Palestine Committee effectively became the U.S.-based Hamas infrastructure. The three key front organizations were the Occupied Land Fund (soon to be renamed the Holy Land Foundation for Relief and Development and hereinafter referred to as the HLF), the IAP (which existed prior to the formation of the Palestine Committee), and the UASR.[26] Each organization had a specific

[22] Testimony of John Pistole, Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Terrorist Financing Operations Section, Before the House Committee on Financial Service Subcommittee on Oversight and Investigations, 108th Congress, Sept. 24, 2003, https://archives.fbi.gov/archives/news/testimony/the-terrorist-financing-operations-section
[23] Government Exhibits Hamas Charter 1 and Hamas Charter 2, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[24] *See, e.g.*, Matthew Levitt, *"Hamas: Politics, Charity, and Terrorism in the Service of Jihad,"* (Yale University Press 2006), Chapter 1.
[25] *United States v. El-Mezain*, eat al, 664 F.3d 467, 486 (5th Cir. 2011).
[26] Lorenzo Vidino, *The New Muslim Brotherhood in the West* (Columbia University Press 2010).

purpose, but they were to operate in conjunction with each other to achieve the goal of supporting Hamas with media, money and political support.


العمل الإسلامي لفلسطين

- مذكرة داخلية -

أكتوبر - ١٩٩٢


Three: a- The Islamic Resistance Movement:

country.

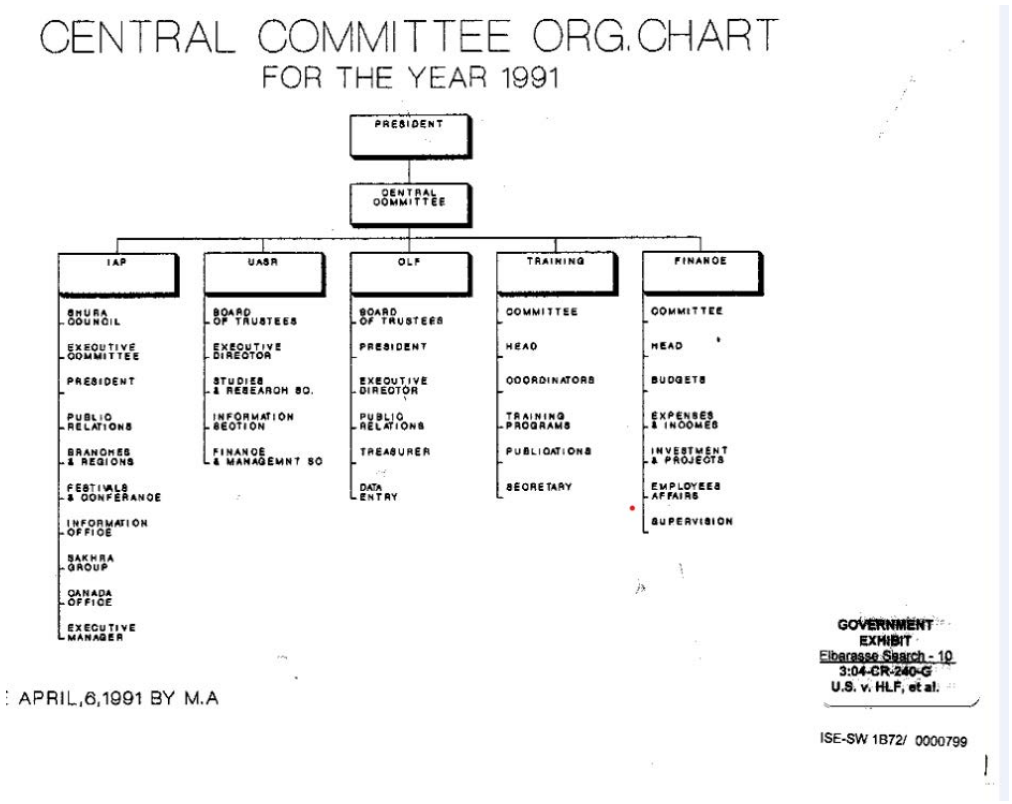
7. Notifying the countries to provide the following according to the vision of the general apparatus for Palestine, according to their ability and in coordination with the apparatus while documenting it with the countries:

a- Media support b- Political support c- Financial support.

United States v. HLF et al., Gov't Exhibit Elbarasse Search-5:[27] *Identifies when Hamas was formed; the Muslim Brotherhood ordered the Creation of the "Palestine Committee" in the US to support it through three organizations, the HLF (OLF) IAP, and UASR.*

A document seized by the FBI in the *Elbarasse Search*, among a cache of U.S. Hamas and Muslim Brotherhood documents, revealed a great deal about the U.S. infrastructure. One of those documents is captured below and is the group's own snapshot of the infrastructure in 1991, including its organizations and leaders, written by Mohamed Akram, the author of *The 1991 Explanatory Memorandum* who is also listed in *The 1998 Chart*.

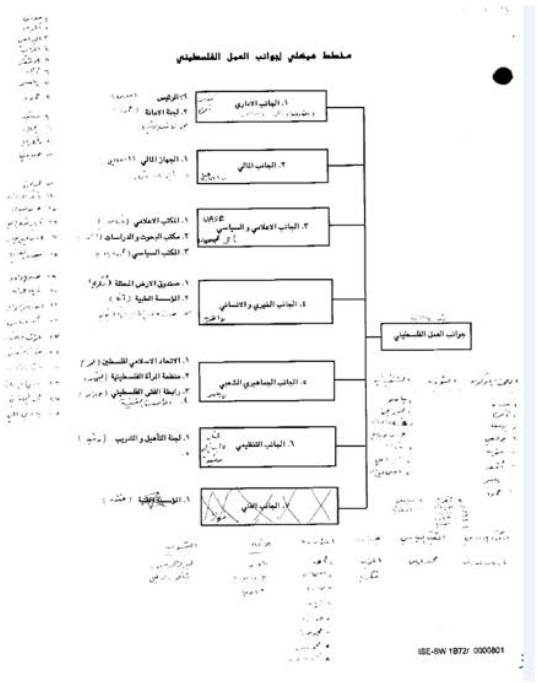
[27] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Elbarasse_Search_5__1__0.pdf



United States v. Holy Land Foundation et al., Gov't Exhibit Elbarasse Search-10, page 1[28]

Pages three and four of the HLF trial exhibit Elbarasse Search 10, referred to herein as *The 1991 Palestine Committee List*, provided the names of 28 men who were leaders in the U.S. Muslim Brotherhood's Palestine Committee as of 1991. Among these men were Marzook (#1), Elbarasse(#3), leaders of the HLF, leaders of the IAP, the leader of the UASR, and a man named Abdel Haleem Ashqar (#5) who will be described in more detail below.

[28] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-04/Elbarasse%20Search%2010.pdf



Hate #ISE-SW 1B72/0000801

Chart Outline for Palestinian Action Aspects

1. The Administrative Aspect Committee secretary	Mousa Akram	1. Chairman (Mousa) 2. Secretariat Committee (Hamoud) 3. Vice chairman 6 Ahmad		1 Mousa 2 Akram 3 Elbrasse 4 Elmezain 5 Al-Ashqar 7 Yasser 8 Hamroud 10 Jamal
2. Financial Aspect	Ismail	1. Financial Apparatus (Ismail) 2. Investment Committee 9 Rashid		
3. Media & Political Aspect	UASR Ahmad	1. Media Office (Ghassan) 2. Studies & Research Office (Ahmad) 3. Political Office (Mohamed Abbas)		11 Shukri 12 Sobani 13 Omar Yehya 14 Ghassan Dahduli
4. Charitable & Humanitarian Aspect	Elmezain	1. Occupied Land Fund (Shukri) 2. Medical Organization (Agha) 3. Palestinian Student's Fund		15 Hassan Sabri 16 Ayman Sharawi 17 Ismail Jaber 18 Basman Elashi
5. Popular & Public Aspect	Yasser	1. Islamic Association for Palestine (Omar) 2. Palestinian Woman's Association (Basman) 3. Palestinian Youth League (Hazim) 4. Artistic Association		19 Salah Dawoud 20 Ziyad Hamdan 21 Issam al-Saraj 22 Mohamed Abbas 23 Izzat Mansour
6. Organizational Aspect	[IL] Abdel Halim Rashid	1. Rehabilitation & Training Committee (Rashid)		24 Fawaz Mushtaha 25 Munzir Taleb 26 Ismail Khalaf 27 Mohamed al-Hanouti
7. Artistic Aspect	Fawaz	1. Artistic Foundation (Munzir)		28 Badi Ali

Committee Chairman
Palestinian Action Aspects

Central Com	Share	Executive
1 Mousa		1 Yasser
2 Akram		2 Omar Yehya
3 Yousif		3 Ghassan Dahduli
4 Ibraise		4 Hassan Sabri
5 Mezain		5 Fawaz
6 Ashqar		6 Elbrasse
7 Yasser		7 Ismail Jaber
8 Hamroud		

9 Shukri 14 Abdel Azim
10 Sobani 15 Jebril
11 Rashid
12 Jamal
13 Daherri

HLF Gov't Exhibit Elbarasse Search-10, pages 3 and 4 (hereinafter referred to as "The 1991 Palestine Committee List")[29]

During the First Intifada (1987-1993), the HLF and IAP held and participated in festivals in the United States wherein Hamas was praised, violent jihad was encouraged, and Mufid Abdulqader (an IAP band member and HLF fundraiser) performed skits on stage wherein he pretended to kill a Jewish person to the delight of the audience that was often filled with children.[30] Many of these fundraising events were captured on videotapes and later seized by the FBI in various search warrants. Some of the videotapes were found buried in Fawaz Mushtaha's yard in Northern Virginia (Mushtaha was a member of the IAP and #24 on *The 1991 Palestine Committee List)*. The HLF raised money at these events and used it to fund Hamas' social infrastructure in Gaza and the West Bank, including the funding of the above-mentioned Al Mujamma Al-Islami, the Islamic Society in Gaza, and the Islamic University in Gaza.[31] They funded schools where children were taught to hate Jewish people and that violence was the only solution.[32]

In the early years of the *First Intifada*, the IAP's information office in Dallas, TX published an Arabic newspaper *Ila Filistine*, wherein it promoted Hamas-related calls for support and *jihad* and

[29] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-04/Elbarasse%20Search%2010.pdf
[30] Government Exhibits Elbarasse Search-32, HLF Search 114, Mushtaha Search-1, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[31] Government Exhibits Payments to IC Gaza, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-06/payments_to_ic_gaza.pdf and Payments to IS Ass. Gaza, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-06/payments_to_is_assoc._gaza.pdf, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[32] *United States v. El-Mezain, et al*, 664 F.3d 467, 486 (5th Cir. 2011).

even Hamas communiques that were followed by adds solicitating donations to the HLF after a call to perform *"jihad* with your money" (in the early years, the HLF was still named OLF). One of the issues even included a poem by HLF leader Shukri Abu Baker who said, "we will not accept other than Hamas."[33] The IAP's information office also published the *Muslim World Monitor*, which was a periodical written in English and served the broader Muslim population providing news on Islamist movements around the world, along with articles by senior Muslim Brotherhood leaders.

While overseeing this US-based network and operating Hamas' Political Bureau, Marzook also began courting the Iranian regime for fiscal sponsorship of Hamas in 1990, which was apparently secured by 1992.[34]

In December 1992, Hamas kidnapped and murdered an Israeli border guard, and in response, Israel deported over 400 Hamas and PIJ members to Marj El Zahour, Lebanon.[35] Among the deportees were senior Hamas leaders like Abdel Aziz Rantisi (now deceased) and Mahmoud Zahar (Zahar remains a senior leader in Hamas Political Bureau as of 2026. In the *First Intifada*, Zahar attended festivals with the IAP and HLF and was on a list of HLF overseas fundraisers that was seized in 2001). The HLF responded by financially supporting the deportees.[36]

Mohamed Salah

In early 1993, a Chicago-based man named Mohamed Salah, who was on *The 1988 Chart* under the "Security" Committee, was arrested in Israel for allegedly bringing money to assist Hamas.[37] According to a *New York Times* article from February 1993, Salah identified Marzook, the HLF, and UASR as part of the Hamas network in the United States.[38] [Salah was designated as a Specially Designated Terrorist in August of 1995, but that designation was removed 17 years later.][39]

---

[33] Government Exhibits Ila Filistine 1-5, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[34] Government Exhibits Ashqar Search 7, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"); Lorenzo Vidino and Lara Burns, *How Hamas' Early Ties with Iran Were Brokered from the US*, George Washington University Program on Extremism, October 2024, https://extremism.gwu.edu/how-hamas-early-ties-iran-were-brokered-us
[35] Shaul Mishal & Avraham Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence* (Columbia University Press, 2000 ("*The Palestinian Hamas*"), pp. 96-97
[36] Government Exhibits Infocom Search 25, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[37] "U.S. Protests to Israelis on 3 Jailed Americans," Associated Press, Feb. 8, 1993, https://timesmachine.nytimes.com/timesmachine/1993/02/08/014493.html?pageNumber=7
[38] Judith Miller, "Israel Says That a Prisoner's Tale Links Arabs in U.S. to Terrorism," *New York Times*, Feb. 17, 1993, https://timesmachine.nytimes.com/timesmachine/1993/02/17/650893.html?pageNumber=6
[39] "Chicago and Washington, D.C., area men among three indicted in racketeering conspiracy in U.S. to finance Hamas terror abroad," U.S. Department of Justice Press Release, Aug. 20, 2004, https://www.justice.gov/archive/opa/pr/2004/August/04_crm_571.htm; Terrorist Assets Report 2001, https://ofac.treasury.gov/media/8431/download?inline, p. 4 n.4 (Tab 5).

The Philadelphia Meeting

In 1993, the PLO and Israel entered into the Oslo Accords, which served as a road map for peace, a two-state solution, and Palestinian self-rule. Hamas opposed the Oslo Accords.[40] Leaders of the U.S.-based Hamas infrastructure (the Palestine Committee) reacted and planned a meeting among the U.S.-based leaders to discuss how to proceed in light of the developments. This meeting was to be the cornerstone of an agenda they would pursue over decades.

The Palestine Committee leaders held the meeting in Philadelphia in October 1993 (hereafter the *1993 Philadelphia Meeting),* which was wire-tapped by the FBI, to discuss how they would continue to support Hamas and seek to derail the Oslo Accords, while operating under the cover of legitimacy to avoid law enforcement scrutiny. In the meeting, they discussed how Hamas, which they referred to as "Samah," (Hamas spelled backwards) would likely be designated as a terrorist organization by the U.S. government. The leaders declared that "War is deception" and planned to deceive the American public about their motives, while remaining true to their ideologies when addressing the Palestinian and Arab populations.[41]

In the *1993 Philadelphia Meeting*, the attendees discussed their foreign and domestic agendas. When discussing their foreign agenda, they identified the need to continue supporting jihad and undermine the Palestinian Authority and Arafat. At the meeting, one of the attendees lamented that people in Gaza and the West Bank were happy about the Oslo Accords. One attendee wondered what would happen if the Palestinian State started and things "settled down," to which the group replied in unison, "God forbid."[42] They discussed which Gaza and West Bank-based charitable entities, hospitals, schools, and universities they had influence in and/or control over and those where they needed more control.[43]

They also discussed their domestic agenda in the United States. They expressed their intent to infiltrate media outlets, and they focused heavily on their need to infiltrate the U.S.'s leading universities.[44] Specifically, the following excerpt is a statement during the *1993 Philadelphia Meeting* by Omar Ahmad (#13 on *The 1991 Palestine Committee List*), who would go on to co-found CAIR months later:

---

[40] Shaul Mishal & Avraham Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence* (Columbia University Press, 2000 ("*The Palestinian Hamas*"), pp. 66-69.
[41] Government Exhibits Philly Meeting 1-16, *United States v. Holy Land Foundation et al.*, 3: 04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/legal-documents.
[42] Government Exhibit Philly Meeting 9E, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[43] Government Exhibits Philly Meeting 1-16, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/legal-documents.
[44] Government Exhibits Philly Meeting 1-16, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/legal-documents.

Om: This is also one of the long-term goals but we have started to do some things about it. This can be achieved by infiltrating the American media outlets, universities and research centers as we previously said.

Excerpt from United States v. HLF, Gov't Exhibit Philly Meeting-4[45]

One of the leaders stated at the meeting that it was a catastrophe that the universities that produce the U.S. government's next leaders had Jewish influence, and they decided to identify potential professors to help solve that problem. The attendees further discussed the need to cleanse the curriculum in K-12 schools because they did not want their children to grow up with the idea of "surrendering to peace with Jews."[46]

seminars... Of course, all of these are suggested activities. As for the young people's level an educational material ought to be prepared to be taught in Islamic curricula. We don't want the children of the 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 and... I mean, we don't see in ten years the growing generations in America surrendering to peace with Jews. Therefore, there must be curricula and teaching materials which spread in Islamic schools and in weekend schools, the ones which teach children who attend American schools. Curricula ought to be put together to prepare them. Another thing is

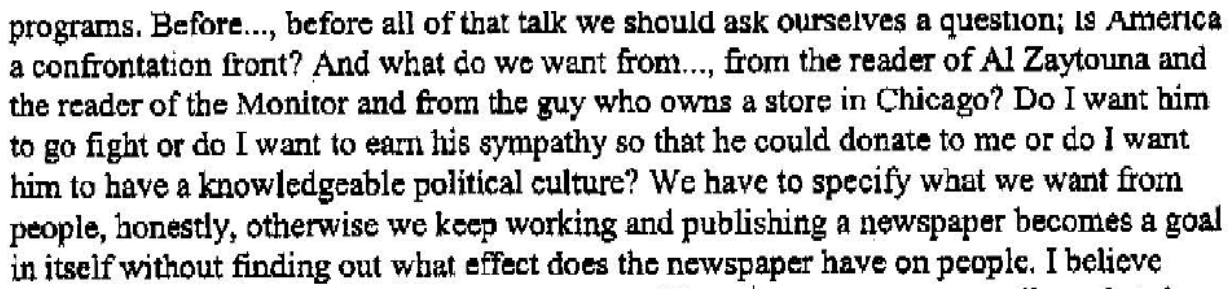
Excerpt from United States v. HLF, Gov't Exhibit Philly Meeting-5[47]

As stated herein, Hamas pursues its agenda through a lethal combination of violence, propaganda, and charity. Likewise, when discussing their goals in *The 1993 Philadelphia Meeting*, HLF leader Shukri Abu Baker- the head of an ostensible charity organization- discussed the potential goals of the IAP's periodicals, *Al Zaytonia* and the *Muslim World Monitor*, which ranged from violence to funding. In his conversation, it is clear the periodicals were not published to merely provide the news. He asked the group:

"…What do we want from,…from the reader of Al Zaytouna and the reader of the Monitor and from the guy who owns a store in Chicago? Do I want him to go fight or do I want to earn

[45] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%204.pdf
[46] Government Exhibits Philly Meeting 1-16, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/legal-documents
[47] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly_Meeting_5.pdf

his sympathy so he could donate to me or do I want him to have a knowledgeable political culture? We have to specify what we want from people, honestly, ***otherwise we keep working and publishing a newspaper becomes a goal in itself….****"*[Emphasis added by author].


programs. Before..., before all of that talk we should ask ourselves a question; is America a confrontation front? And what do we want from..., from the reader of Al Zaytouna and the reader of the Monitor and from the guy who owns a store in Chicago? Do I want him to go fight or do I want to earn his sympathy so that he could donate to me or do I want him to have a knowledgeable political culture? We have to specify what we want from people, honestly, otherwise we keep working and publishing a newspaper becomes a goal in itself without finding out what effect does the newspaper have on people. I believe

Excerpt from United States v. HLF, Gov't Exhibit Philly Meeting 5[48]

A list of meeting attendees was used as a demonstrative exhibit at the HLF trial, and identified evidentiary items that established the various attendees' presence at the *1993 Philadelphia Meeting.*

[48] Government Exhibits Philly Meeting 5, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly_Meeting_5.pdf.

PHILADELPHIA MEETING October 2-3, 1993

Attendees	Organizations	HLF AMEX Records-Flights (exh: Amex1, Amex2)	Marriott Hotel Records (exh: Marriott)	Speaker at Conference (exh: Philly Meeting 1-18)	Surveillance Photos (exh: Philly Pictures 1-6)	Planning Phone Calls (exh: Ashqar Wire Tap 1-6)
Shukri Abu Baker	PC, HLF, IAP	√	√	√	√	√
Ghassan Elashi	PC, HLF, IAP	√	√	√	√	
Mufid Abdulqader	HLF, Al Sakra Band		√			
Haitham Maghawri	HLF	√	√		√	
Akram Kharoubi	PC, HLF, IAP			√		√
Omar Ahmad	PC, IAP	√	√	√		√
Ismail Elbarasse	PC, IAP				√	√
Abdel Haleem Ashqar	PC, AEF			√	√	√
Ghassan Saleh Dahduli	PC, IAP	√	√	√		
Muin Shabib	PC		√			√
Abdul Rahman Barakji	IAP	√	√	√		
Sharif Battikhi	HLF	√		√		
Riad Ahmed			√			
Hassan Sabri	IAP		√	√		√
Abdul Jabar Hamdan	HLF		√			
Ayman Sharawi	PC		√	√		
Jawad al Hamad	Palestine Section			√		√
Abdel Salam				√		
Nihad Awad	PC, CAIR			√		√
Osama	IAP			√		
Abu Ahmad				√		
Mohamed El-Mezain	PC, HLF		√			√
Mohamed Al Hanooti	PC					√
Salah						√
Issam Siraj	PC					√
Yasser Bushnaq	PC, IAP					√
Mohamed Abbas	PC					√

GOVERNMENT EXHIBIT
Philly Meeting Summary
3:04-CR-240-G
U.S. v. HLF, et al.

United States v. Holy Land Foundation et al., Gov't Exhibit Philly Meeting Summary[49]

The meeting attendees further plotted to create an organization in Washington, D.C. that would appear legitimate, but that would serve the purpose of defending the other front organizations if they were scrutinized by the U.S. government and media. Documents and testimony in the HLF trial revealed this new organization was CAIR, which was co-founded by two senior IAP leaders who attended the conspiratorial Philadelphia meeting.[50] Those individuals were Omar Ahmad (IAP, CAIR) and Nihad Awad (IAP, CAIR). CAIR purports to be the largest Muslim civil rights/advocacy organization in America, and Nihad Awad remains CAIR's Executive Director today.[51] Notably, during the same portion of the conversation at the *1993 Philadelphia Meeting*, CAIR co-founder Omar Ahmad also discussed opening the new ostensibly independent organization in Washington D.C. (that would become CAIR) and identified a problem of staffing it with unexposed people and the difficulty in **hiding their true agenda**:

[49] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/philly-meeting-summary.pdf
[50] Testimony of FBI Special Agent Lara Burns,
United States v. Holy Land Foundation et al., 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").
[51] https://www.cair.com/about_cair/national-board-of-directors/

> *"…Do we have hidden faces we now bring up to light? We have what we have. I mean, we don't really have available people whom we could dedicate for the work we want to hide…"*[52]

In the same meeting, attendees agreed that "we must pressure [others] and embarrass them by various means until they adhere to our position or, at least, remain neutral."[53] To that end, from its outset, CAIR pursued a mission of intimidation. CAIR aggressively denounced media and law enforcement actions against elements of the U.S.-based Hamas infrastructure, knowingly and falsely labeling those as acts of "Islamophobia" and alleging the war on terror was a war on Muslims.[54] Nihad Awad and Omar Ahmad, the co-founders of CAIR, were intrenched in the U.S.-based Islamist network, yet their narratives, which will be discussed herein, often falsely portrayed actions against Islamist movements as actions against the religion of Islam.

Palestine Committee Membership List

In 1994, the FBI executed a covert search on Ashqar's home (hereinafter the *Ashqar Search*) (Ashqar was #5 on *The 1991 Palestine Committee List* and a speaker at the *1993 Philadelphia Meeting).* Many documents identified in the *Ashqar Search* were admitted in various trials. One of those documents as entitled, "Important phone and fax numbers (Palestine Section/America)" (hereinafter *Palestine Section America).*[55] First on the *Palestine Section America* list was Hamas leader Mousa Abu Marzook (#1 on *The 1991 Palestine Committee List*) and the second on the list was Mohamed Akram (#2 on *The 1991 Palestine Committee List* and author of *The Explanatory Memorandum).* Included on the *Palestine Section America* list were senior leaders of the HLF, IAP, and UASR, along with Mohamed Salah (arrested in Israel in 1993) and Ismail Elbarasse (#3 on the *1991 List)* from whose home many of the referenced documents were seized. The *Palestine Section America* list included the two co-founders of CAIR, Nihad Awad (#32) and Omar Ahmad (#25).

---

[52] Government Exhibit Philly Meeting 7, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), pages 4-6.
[53] Government Exhibit Philly Meeting-4, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), p. 16 https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%204.pdf
[54] https://www.cair.com/press_releases/islam-oped-war-on-terror-rhetoric-sounds-like-war-on-islam/
[55] Government Exhibit Ashqar Search-1, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), p. 4 https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/701.pdf

ASH185

Important phone and fax numbers (Palestine section/America)

Name	City/Country	Fax	Phone
1. Mousa Abou Marzouk	RUSTON	318-255-6102	3182555534
2. Mohamed Akram	CHICAGO	312-434-3462	312-563-0937
3. Ahmad Yousif	CHICAGO	312-434-3462	312-594-3967
4. Yasser Bushnaq	DALLAS	214-490-4969	214-490-4969
5. Mohamed Elmezain	NWE JERSY	201-279-6362	201-279-3574
6. Ismail Elbrasse	WASHINGTON, D.C.	703-922-8730	703-922-7859
7. Ghassan Dahduli	TUOCSAN	602-886-8387	602-325-5121
8. Ghassan Elashi	L.A.	213-391-0095	213-838-7255
9. Issam Al Siraj	WASHINGTON		703-931-0211
10. Omar Al Sobani	EAST LANSING		517-332-2163
11. Ismail Jaber	CHICAGO	312-434-3462	312-423-6089
12. Mohamed Abbas			801-583-3325
13. Fawaz Mushtaha	WASHINGTON		703-786-7705
14. Izzat Mansour	RUSTON	318-255-6102	318-255-7038
15. Hamoud Salem	STILLWATER		405-744-1150
16. Nader Jawad	WASHINGTON		703-430-2353
17. Rashid Qurman	ALABAMA		205-837-0450
18. Shukri Abou Baker	INDPOLS	317-839-1840	317-243-9520
19. Mohamed Abou Amaria	L.A.	213-8390436	213-839-4851
20. Jamal Said	CHICAGO	Fax 4305235	312-599-5313
21. Ghassan Al Karmi	CHICAGO		312-561-2940
22. Mohamed Salah			
23. Ayman Siraj Eddin	WASHINGTON, D.C.	7655569	703-237-9529
24. Ahmad Agha	OKLAHOMA		405-762-7732
25. Omar Yehya	C.A.		408-984-1254
26. Akram Al Kharoubi			
27. Walid Abou Sharkh	COLUMBIA, MO.		314-874-5973
28. Walid Ranu			215-977-0689
29. Ayman Sharawi	CANADA		416-391-0324
30. Hazim Elashi	L.A.		213-202-1198
31. Basman Elashi	L.A.		213-838-7255
32. Nihad Awad	MINAPOLIS		602-378-3086
33. Mohamed Al Jaghlit	WISCONSON		715-835-0513
34. Nabil Al Sadoun	TULSA	9188363911	918-836-7404
35. Mohamed Al Hanooti	NEW JERSY		201-392-0573

1-9-2

United States v. Holy Land Foundation et al. Gov't Exhibit Ashqar Search-1, page 4[56]

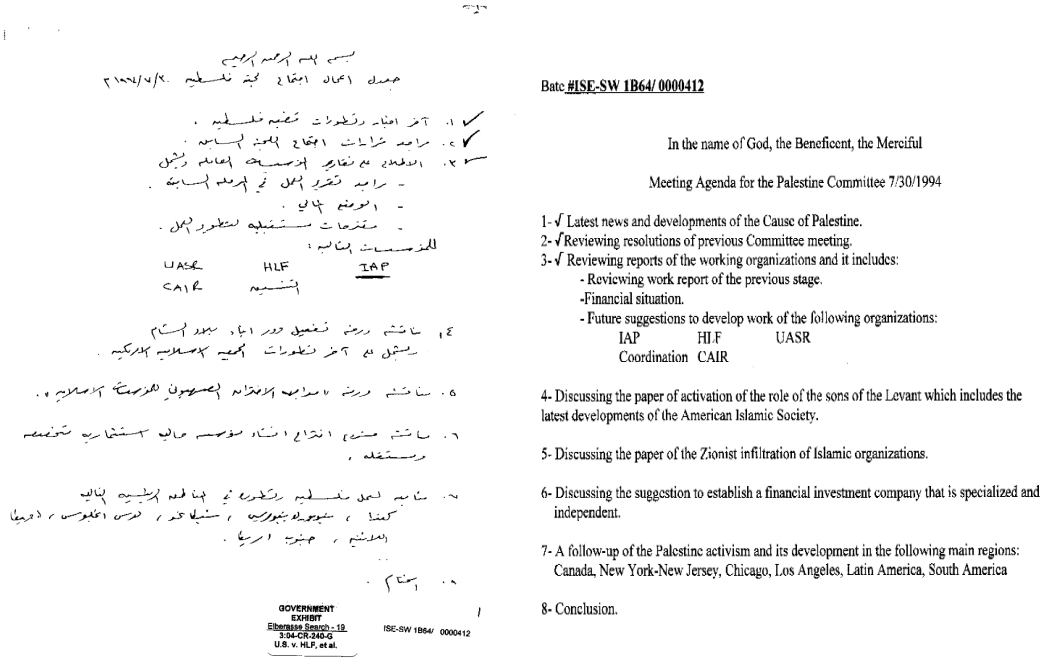
Page 2 of that same document was entitled *Palestine Section/Outside America* and contained the names of senior Palestinian Muslim Brotherhood leaders abroad including several leaders in the Jordanian Muslim Brotherhood and the now-designated Hamas leader Majeed Al-Zeer who will be discussed more fully herein. Another individual on the *Palestine Section/Outside America* was Izzat Al Rishq who is believed to be a current senior leader of Hamas' Political Bureau in Qatar.[57]

[56] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/701.pdf

[57] https://mugtama.com/articles/%D8%A7%D9%84%D8%B1%D8%B4%D9%82_%D9%84%D9%84%D8%BA%D8%A7%D9%86%D9%85_%D8%AD%D9%85%D8%A7%D8%B3_%D8%AA%D8%B9%D8%A8%D8%B1_%D9%84%D9%83%D9%85_%D8%B9%D9%86_%D8%B9%D9%85%D9%8A%D9%82_%D8%AA%D9%82%D8%AF%D9%8A%D8%B1%D9%86%D8%A7_%D9%88%D8%A7%D8%B9%D8%AA%D8%B2%D8%A7%D8%B2%D9%86%D8%A7_%D8%A8%D9%83%D9%85; https://www.mohsensaleh.net/2020/01/30/%D8%B3%D9%84%D9%8A%D9%85%D8%A7%D9%86-%D8%AD%D9%85%D8%AF-%D8%B1%D8%A7%D8%A6%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D9%84-%D8%A7%D9%84%D8%A5%D8%B3%D9%84%D8%A7%D9%85%D9%8A-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7/. See also Izzat al Risheq, European Council on Foreign Relations, https://ecfr.eu/special/mapping_palestinian_politics/izzat_al_risheq/.

In March 1994, Nihad Awad (#32 on *Palestine Section America*, speaker at the *1993 Philadelphia Meeting*, leader of the IAP and co-founder of CAIR), spoke at Barry University and told an audience, "'I'm in support of Hamas movement more than the PLO, not because Hamas is destructive and involved in violence."[58] When later questioned about his position under oath in a 2003 deposition, Nihad Awad stated he was not aware Hamas had taken credit for acts of violence at the time.

As of 1994, the four U.S.-based Hamas front organizations were the HLF, IAP, UASR, and CAIR. A document seized in the Elbarasse Search was a memorandum regarding the Palestine Committee's meeting in July 1994 that included the names of all four of those organizations.[59] It memorialized what was discussed in the meeting, including the participants' need to disrupt normalization between Arab and Muslim countries and Israel. They noted that if they did not disrupt this normalization process, "we become the only ones who are 'extremists' and radical…"[60]



Bate #ISE-SW 1B64/ 0000412

In the name of God, the Beneficent, the Merciful

Meeting Agenda for the Palestine Committee 7/30/1994

1- √ Latest news and developments of the Cause of Palestine.
2- √Reviewing resolutions of previous Committee meeting.
3- √ Reviewing reports of the working organizations and it includes:
- Reviewing work report of the previous stage.
-Financial situation.
- Future suggestions to develop work of the following organizations:
IAP HLF UASR
Coordination CAIR

4- Discussing the paper of activation of the role of the sons of the Levant which includes the latest developments of the American Islamic Society.

5- Discussing the paper of the Zionist infiltration of Islamic organizations.

6- Discussing the suggestion to establish a financial investment company that is specialized and independent.

7- A follow-up of the Palestine activism and its development in the following main regions: Canada, New York-New Jersey, Chicago, Los Angeles, Latin America, South America

8- Conclusion.

GOVERNMENT EXHIBIT Elbarasse Search - 19 3:04-CR-240-G U.S. v. HLF, et al.

ISE-SW 1B64/ 0000412

Screenshot of Government Exhibit Elbarasse Search-19 Pages 1 and 6 (the translation of page 1)[61]

It should be noted that another event of relevance occurred in 1994 and involved a dispute between Ashqar (#5 on *The 1991 Palestine Committee List* and speaker at the *1993 Philadelphia Meeting*) and the HLF over a US fund-raising trip by Jamil Hammami (a senior leader in Hamas in the West

[58] Deposition of Nihad Awad on October 22, 2003, *Boim, et al. v. Quranic Literacy Institute*, et al., 1:17-cv-03591 (N.D. Ill.), pp. 57-60
[59] Government Exhibit Elbarasse Search-19, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Elbarasse_Search_19.pdf.
[60] Government Exhibit Elbarasse Search-19, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Elbarasse_Search_19.pdf.
[61] https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Elbarasse_Search_19.pdf

Bank at the time).[62] Ashqar wanted the funds raised by Hammami to go to an educational initiative he had started, while the HLF wanted the proceeds. Ultimately, CAIR co-founder Omar Ahmad (# 13 on *The 1991 Palestine Committee List*) called for a meeting to resolve the dispute, and that call was wire-tapped by the FBI.[63] Weighing in on the discussion were Ismail Elbarasse (#3 on *The 1991 Palestine Committee List* and subject of the *Elbarasse Search)*, and various HLF and IAP leaders. The dispute was resolved in favor of the HLF after Hamas leader Mousa Abu Marzook (#1 on *The 1991 Palestine Committee List*) wrote a letter to the Palestine Committee ordering Ashqar to suspend his activity.[64]

Hamas is Designated

In 1994, in its efforts to derail the Oslo Accords, Hamas embarked upon a brutal suicide bombing campaign targeting civilians that lasted for years and resulted in the deaths of hundreds, including US citizens.

In 1995, Hamas and Marzook[65] were designated by the US government as Specially Designated Terrorists (SDTs), and Hamas was designated a foreign terrorist organization (FTO) in 1997. In 1995, Marzook was arrested in the U.S. pending extradition proceedings to Israel for the murders committed by Hamas. In CAIR's 1996 publication, *The Status of Muslim Civil Rights in the United States 1996: The Price of Ignorance*, they labeled Marzook's arrest as an instance of anti-Muslim bias.[66] This is one of the first cases of the typical dynamic seen today: CAIR framing as Islamophobia a clear counterterrorism measure that legally targets a senior Islamist militant.

The Israeli government ultimately withdrew its extradition request and the U.S. government deported Marzook to Jordan in 1997 where he joined other Hamas leaders like Khalid Mishal, the half-brother of IAP member/HLF fundraiser Mufid Abdulqader who was convicted in the 2008 HLF trial. The Hamas leadership, including Marzook and Mishal, were ousted from Jordan in 1999.[67] The HLF, IAP, UASR and CAIR continued operations in the United States.

Omar Abdel Rahman

CAIR did not limit its inaccurate framing of counterterrorism measures to the members of the Palestine Committee. In its 1996 publication referenced above, CAIR discussed Omar Abdel

---

[62] Matthew Levitt, "*Shut Down Hamas,*" Baltimore Sun, Jan. 22, 2004, reprinted at The Washington Institute for Near East Policy, https://www.washingtoninstitute.org/policy-analysis/shut-down-hamas. https://www.washingtoninstitute.org/policy-analysis/shut-down-hamas.

[63] Government Exhibit Shabib Wiretap-2, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").

[64] Government Exhibit Ashqar Wiretap-4, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").

[65] Marzook was subsequently designated as a Specially Designated Global Terrorist (SDGT) in 2003, https://ofac.treasury.gov/recent-actions/20030821.

[66] American-Muslim Research Center- CAIR, *The Status of Muslim Civil Rights in the United States 1996: The Price of Ignorance*, 1996, https://www.cair.com/wp-content/uploads/2020/08/1996-The_Status_of_Muslim_Civil_Rights_in_the_United_States_1996.pdf

[67] "*Clamp Down on Hamas,"* Policy Watch #226, The Washington Institute for Near East Policy (October 6, 1999).

Rahman's trial. CAIR's publication contained an article that implied Omar Abdel Rahman did not receive a fair trial because he was not allowed to call a religious scholar to testify in his defense and specifically stated:

> *"Lawyers defending Shaykh Omar Abdel Rahman complain that his trial was far from free and fair. One particularly troubling aspect of the trial was the judge's decision on July 7, 1995, to deny a request by the defense team to call experts in Islamic jurisprudence to testify. The judge's reasoning was that the trial was about terrorism, not about religion."*

Omar Abdel Rahman was indicted and convicted of various charges including seditious conspiracy relating to the 1993 bombing of the World Trade Center as well as conspiracy to commit murder. Omar Abdel Rahman was identified in the case as the leader of the conspiracy whose purpose was "*jihad…against God's enemies.*"[68] Omar Abdel Rahman began his journey toward *jihad* by studying the works of Muslim Brotherhood leaders like Sayyid Qutb.[69] According to Andrew McCarthy(the government's prosecutor in Omar Abdel Rahman's case), by 1973, Omar Abdel Rahman was the leader of an Egyptian jihadist group called Gama'at Al-islamia, considered a "spinoff of the Muslim Brotherhood."[70] By the time he settled in the United States in 1990, he was advocating for *jihad* against the United States.[71]

CAIR's narrative about the nature of Omar Abdel Rahman's trial is a consistent theme that will be documented further herein. Omar Abdel Rahman was arrested in the summer of 1993 for his numerous deadly plots against US targets in America. Several months later, in the *1993 Philadelphia Meeting*, when discussing how "you could be destroyed by the media,"[72] CAIR co-founder Omar Ahmad lamented that Shiekh Omar Abdel Rahman was identified in the media before he was charged by the government in the terrorism case. Omar Ahmad stated, in part,

> *"…it was the media which accused him before he was legally charged…The media is overwhelming, that is. So, what I can say is that our problem at the [Islamic] Association [for Palestine]is the following…if you want the Americans, you lose the Muslims. If you address the Muslims, it means that you cannot reveal your address to the Americans…"* [73]

Another participant responded and said:

---

[68] *United States v. Rahman*, 189 F.3d 88, 104 (2d Cir.1989).
[69] Andrew McCarthy, *"Omar Abdel Rahman, the 'Blind Sheikh,' Is Dead,"* National Review, February 18, 2017. https://www.nationalreview.com/2017/02/blind-sheikh-dies-terrorist-evangelist/
[70] Andrew McCarthy, *"Omar Abdel Rahman, the 'Blind Sheikh,' Is Dead,"* National Review February 18, 2017. https://www.nationalreview.com/2017/02/blind-sheikh-dies-terrorist-evangelist/
[71] Andrew McCarthy, *"Omar Abdel Rahman, the 'Blind Sheikh,' Is Dead,"* National Review February 18, 2017. https://www.nationalreview.com/2017/02/blind-sheikh-dies-terrorist-evangelist/
[72] Government Exhibit Philly Meeting 7, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), pages 4-6, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%207.pdf.
[73] Government Exhibit Philly Meeting 7, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), pages 4-6, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%207.pdf.

> *"I won't be naïve to the point of telling the Americans 'It is my right to enslave your daughter' and…like what Omar Abdel Rahman did in Detroit and said that 'America will be a plunder for us.' His words are correct…"*

The participants in the *1993 Philadelphia Meeting* then laughed as seen in the transcript below:

> Om: But, you still cannot show the legal position to the Americans...UI.
>
> UM1: No, my brother. There are things I can warn against such as... I won't be naive to the point of telling the American "It is my right to enslave your daughter and...", like what Omar Abdel Rahman did in Detroit and said that "America will be a plunder for us". His words are correct [*Laughter and UI brief group comments*]. No, really. It was wrong.

The meeting participants continued to discuss Omar Abdel Rahman at various points, with one participant saying, "I mean we shouldn't mess up like Omar Abdel Rahman…", seemingly referencing his overt speech in support of violence and death against the United States, rather than his actual participation in violent plots and bombings.[74]

At no point in the discussion did the *1993 Philadelphia* meeting participants condemn the 1993 WTC bombing, nor the other crimes for which Omar Abdel Rahman would go on to be convicted.

The Continuation of the Conspiracy

Throughout the 1990s until late 2001, the HLF continued to provide support to the Hamas social infrastructure in Gaza and the West Bank, including schools where young children were radicalized to hate Jewish people and believe violence was the only solution.[75] The IAP continued its festivals and the publication of its newspaper which drove pro-Hamas propaganda.

CAIR expanded its operations by creating local chapters in various states. The first Texas - based chapter was co-founded by Ghassan Elashi[76], a leader of the HLF who was later convicted of various terrorism-related charges, including dealing illegally in the funds of SDT Marzook, as will be discussed herein.

During the HLF trial, two calls in 1999 were played for the jury. The calls involved CAIR co-founder Omar Ahmad (#13 on *The 1991 List*), who led the *1993 Philadelphia Meeting* and was

[74] Government Exhibit Philly Meeting 16, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), page 10, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-06/philly_meeting_16.pdf
[75] Government Exhibit ICS Hebron 12; Testimony of Government Expert witness "Avi," *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/legal-documents.
[76] Council of American-Islamic Relations, Office of the Secretary of State of Texas, Articles of Incorporation, filed Sept. 29, 1998.

the Chairman of CAIR from 1994-2005.[77] During the calls, Ahmad, who had no official position within the HLF, directed HLF officers regarding HLF expenditures.[78]

These wire-taps demonstrated that a senior leader of an ostensibly independent civil rights organization, CAIR, was directing expenditures of a Hamas fundraising organization. In line with the Palestine Committee's stated agenda to deceive Americans, as stated during the Philadelphia Meeting ("War is deception"), Ahmad, during a May 2003 civil deposition, denied any role with the HLF.[79]

In 2000, the *Second Intifada* began with Hamas, PIJ and other terror groups launching a barrage of attacks against Israeli civilians.

The IAP's "Fourth Annual Conference" was held in November 2000 in the Chicago area and was entitled, "All Palestine is Sacred"[80] echoing the 1988 Hamas Charter which states, "The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf consecrated for future Moslem generations until Judgement Day."[81] The flyer for the event noted the IAP board included Hasan Sabri (#15 on *The 1991 Palestine Committee List*), Rafeeq Jaber (a third co-founder of CAIR), Imad Sarsour (discussed herein), HLF Chicago leader Kifah Mustafa and others, while the Preparation Committee consisted of Jaber, Mustapha, Sarsour, and Osama Abuirshaid among others.

One of the HLF's overseas fundraisers was a man named Yousef Al Qaradawi[82], who was a popular Islamist leader and widely considered to be the spiritual guide for the Muslim Brotherhood, who advocated for the killing of Jews.[83] Qaradawi was a senior leader in the Union of Good[84], an entity designated as a Hamas front in November 2008.[85] Qaradawi died in 2022 but will be discussed further herein.

---

[77] "CAIR Board Elects New Chairman," CAIR Press Release, May 19, 2005, https://www.cair.com/press_releases/cair-board-elects-new-chairman/

[78] See Government Exhibits Baker Wiretap-5, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-06/baker_wiretap-5.pdf, and Baker Wiretap-33, https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-06/baker_wiretap-33.pdf, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"). *See also* Burns Testimony, September 30, 2008, pp. 24-35, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").

[79] Deposition of Omar Ahmad, *Boim, et al. v. Quranic Literacy, et al.*, 1:00-cv-02905 (N.D. Ill. May 27, 2003).

[80] https://www.investigativeproject.org/documents/438/iap-fourth-annual-convention-program.pdf

[81] Government Exhibit Hamas Charter 1, Article 11, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").

[82] Government Exhibit HLF Search 87, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF").

[83] Testimony of Robert Miranda, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"). See also Government Exhibit HLF Search 126.

[84] https://www.terrorism-info.org.il//Data/pdf/PDF1/FEB22_05_680981780.pdf

[85] https://home.treasury.gov/news/press-releases/hp1267

In 2001, the HLF was designated as an SDT for its support for Hamas.[86] CAIR and related groups denounced the designation and called on President Bush to "reconsider what we believe is an unjust and counterproductive move that can only damage America's credibility with Muslims in this country…"[87] Several weeks later, the IAP held its 5th Annual Convention in Chicago which featured a number of speakers including Ahmed Yousef (#6 on *The 1991 Palestine Committee List)*, Jamal Said (#10 on *The 1991 Palestine Committee List)*, Ziad Hamdan (#20 on *The 1991 Palestine Committee List)*, Osama Abuirshaid, Hatem Bazian, and others referenced herein.[88] Within a few years, Ahmed Yousef (#6 on the *1991 Palestine Committee List*) shuttered the UASR and moved to Gaza to advise Hamas leader Ismail Haniyeh.[89] Haniyeh (now deceased) was designated as Specially Designated Global Terrorist (SDGT) in 2018 by the U.S. State Department.[90]

It should be noted that another Texas-based business, Infocom, was located across the street from the HLF and operated by the Elashi brothers whose cousin, Nadia, was married to Marzook. Some of the five Elashi brothers - Ghassan Elashi, Basman Elashi, Bayan Elashi, and Hazim Elashi,[91] - held positions at the HLF and IAP. Infocom had financial transactions with Marzook in violation of the International Emergency Economic Powers Act (IEEPA). In 2001, Infocom was sanctioned by the Department of Commerce,[92] an action which CAIR and other related entities called the government's action an "anti-Muslim witch hunt."[93] The Elashi brothers were later charged and convicted of various terrorism-related crimes, including dealing in the property of SDT Marzook.[94]

The IAP continued to publish its Al-Zaytouna periodical wherein pro-Hamas articles painted the terror attacks of the *Second Intifada* as "the right of resistance," often highlighting Israeli military responses to the terror without acknowledging the terror that led to them. In one issue, an article was published highlighting that in the summer of 2003, CAIR witnessed a large number of university students who came to Washington, D.C. to train at CAIR in the areas of media and

---

[86] "Shutting Down the Terrorist Financial Network," U.S. Department of the Treasury, December 4, 2001, https://home.treasury.gov/news/press-releases/po841
[87] "Freeze On Group's Assets Questioned by U.S. Muslims," IslamiCity, December 4, 2001, https://www.islamicity.org/1645/freeze-on-groups-assets-questioned-by-u-s-muslims-2/
[88] Islamic Association of Palestine (IAP) Flyer, "(IAP) 5th Annual Convention: American Muslims: A Bridge of Understanding & Cooperation," Chicago, 21-25 December 2001 Holiday Inn, O'Hare International," https://www.investigativeproject.org/documents/1114-iap-5th-annual-convention-chicago-2001.pdf
[89] Ahmed Yousef, Personal Info, https://all4palestine.org/ModelDetails.aspx?gid=14&mid=77738&lang=en#:~:text=Information,Palestinian%20Prime%20Minister%20Ismail%20Haniyeh, *archived at* https://archive.is/wip/rVeby.
[90] https://2017-2021.state.gov/state-department-terrorist-designations-of-ismail-haniyeh-harakat-al-sabireen-liwa-al-thawra-and-harakat-sawad-misr-hasm/
[91] Government Exhibit Demonstrative 6, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2026-06/demonstrative_6_pdf.pdf.
[92] Infocom Corporation, https://www.opensanctions.org/entities/NK-E5cfzKNcsX7sAkbvbxzkcB/
[93] "Raid on Texas Business is 'Anti-Muslim' Witch Hunt say Muslim Leaders," IslamiCity, September 6, 2001, https://www.islamicity.org/1212/raid-on-texas-business-is-anti-muslim-witch-hunt-say-muslim-leaders/.
[94] "Brothers Found Guilty of Supporting Terrorism," Associated Press, April 14, 2005, https://www.nbcnews.com/id/wbna7496068

politics,[95] echoing CAIR co-founder Nihad Awad's idea on bringing students for internships to further their agenda in *The 1993 Philadelphia Meeting.*[96]

During the same time period, civil litigation was filed in federal court in the matter of *Boim v. Quranic Literacy Institute, et al.*, wherein the HLF, IAP, UASR and others were sued for the Hamas murder of U.S. citizen David Boim in Israel in 1996.[97] In 2004, the court found the HLF and IAP, among others, liable for the death based on their Hamas support. The judgment exceeded $150 million. The IAP, located in Palos Hills, Illinois, closed its doors.[98]

In November 2008, a jury found the HLF and five of its officers guilty of conspiring to support HAMAS. The verdicts were affirmed by the Fifth Circuit Court of Appeals.[99] CAIR labeled the HLF verdicts as based on "fear-mongering."[100]

American Muslims for Palestine

By 2006, American Muslims for Palestine (AMP)[101] had emerged in Palos Hills, Illinois. AMP operates as a 501(c)(3) under the name AJP Educational Foundation.[102] AMP was founded by Hatem Bazian, a man credited with founding the first chapter of the Students for Justice in Palestine (SJP, discussed herein).[103] The Boim family filed a federal lawsuit against AMP and the Americans for Justice in Palestine Educational Foundation (AJP) alleging them to be the alter ego of the IAP, and the allegations survived a motion to dismiss by the defendants with the Court finding the amended complaint[104] set forth sufficient allegations to set forth a claim.[105] The case is set for trial in 2027.[106] The AMP was staffed with former IAP leaders to include Osama Abuirshaid (IAP/UASR), Rafeeq Jaber (IAP/CAIR), and Salah Sarsour (IAP).[107] According to congressional testimony, in 1998, Salah Sarsour's brother Jamil Sarsour was captured by the government of Israel for Hamas-related activities and confessed that his brother Salah Sarsour was

---

[95] Al-Zaytounah, June 13, 2003
[96] Government Exhibit Philly Meeting 7, p. 16, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"), https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2025-02/Philly%20Meeting%207.pdf
[97] Memorandum Opinion and Order, *Boim, et al. v. Quranic Literacy Institute, et al.*, 1:00-cv-02905 (N.D. Ill. Aug. 31, 2012), https://storage.courtlistener.com/recap/gov.uscourts.ilnd.96451/gov.uscourts.ilnd.96451.883.0.pdf
[98] https://mlfa.org/united-we-stand/#:~:text=These%20organizations%20were%20drained%20financially,unable%20to%20prove%20this%20claim.
[99] *United States v. El-Mezain*, 664 F.3d 467, 486 (5th Cir. 2011).
[100] https://www.cair.com/press_releases/cair-says-hlf-verdict-based-on-fear-mongering/
[101] https://www.jns.org/judge-finds-evidence-linking-amp-to-hamas-supporters-for-lawsuit-to-proceed/
[102] https://www.ampalestine.org/about-amp
[103] https://canarymission.org/professor/Hatem_Bazian
[104] First Amended Complaint, *Boim, et al. v. American Muslims for Palestine et al.* 1:17-cv-03591 (N.D. Ill. Dec. 17, 2019), https://storage.courtlistener.com/recap/gov.uscourts.ilnd.339873/gov.uscourts.ilnd.339873.179.0_2.pdf
[105] Notice of docket entry, *Boim, et al. v. American Muslims for Palestine et al.* 1:17-cv-03591 (N.D. Ill. June 30, 2026), https://storage.courtlistener.com/recap/gov.uscourts.ilnd.339873/gov.uscourts.ilnd.339873.647.0.pdf..
[106] First Amended Complaint, *Boim, et al. v. Quranic Literacy Institute*, et al., 1:17-cv-03591 (N.D. Ill. Dec. 17, 2019), https://storage.courtlistener.com/recap/gov.uscourts.ilnd.339873/gov.uscourts.ilnd.339873.179.0_2.pdf
[107] https://www.ampalestine.org/about-amp/our-team

involved in financing Hamas from the US.[108] On April 2, 2026, Salah Sarsour was detained for immigration violations. An official Department of Homeland Security press release stated that Salah Sarsour had previously been convicted in Israel of throwing Molotov cocktails at the Israeli army.[109] The press release also stated the following:

> "*Today, the U.S. Department of Homeland Security (DHS) announced that U.S. Immigration and Customs Enforcement (ICE), in conjunction with the U.S. Marshals Service (USMS), conducted a targeted operation in Milwaukee, Wisconsin, to arrest Salah Salem Sarsour, a criminal illegal alien from Jordan* ***suspected of funding terror organizations*** *and* ***lying on immigration forms."*** [110] (emphasis in original).

Osama Abuirshaid is the current Executive Director of AMP.[111] Abuirshaid, who operated the IAP's newspaper before the IAP closed and served as a research fellow with the UASR before it closed, has consistently propagated false narratives related to this network. In a film produced by Al Jazeera network about the HLF trial, Abuirshaid stated that the U.S. government "did not have a single American document condemning the Holy Land Foundation."[112] He further asserted, "the only evidence was Israeli and these documents were forged."[113] However, this false narrative is contradicted as the government admitted hundreds of documents, wiretaps, and videos that were seized from the HLF offices, the Infocom office, the *Elbarasse Search*, the *Ashqar Search*, as well as documents obtained from multiple U.S. financial institutions including NAIT (Listed in the *1988 Chart* and the *1991 Explanatory Memorandum*).

Students for Justice in Palestine (SJP) is a student organization that operates on U.S. campuses and purports to promote pro-Palestinian activism, but whose agenda appears aligned with pro-terror narratives that label terrorist acts as legitimate "resistance" and falsely label Israel as committing genocide. Their first chapter was reportedly created by AMP founder Hatem Bazian in the 1990s or early 2000s at UC Berkeley.[114] AMP helped found the National Students for Justice in Palestine (NSJP) in 2010, where, together, their pro-Hamas campus activism significantly escalated.[115] The

---

[108] https://financialservices.house.gov/media/pdf/021202se.pdf
[109] https://www.dhs.gov/news/2026/04/02/dhs-law-enforcement-arrests-jordanian-national-previous-conviction-throwing-molotov
[110] "DHS Law Enforcement Arrests Jordanian National with Previous Conviction for Throwing a Molotov Cocktail at the Homes of Israeli Forces," Department of Homeland Security Press Release, April 2, 2026, https://www.dhs.gov/news/2026/04/02/dhs-law-enforcement-arrests-jordanian-national-previous-conviction-throwing-molotov
[111] https://www.ampalestine.org/about-amp
[112] https://www.aljazeera.com/video/al-jazeera-world/2016/10/5/the-holy-land-five
[113] https://www.aljazeera.com/video/al-jazeera-world/2016/10/5/the-holy-land-five
[114] The Institute for the Study of Global Antisemitism and Policy (ISGAP), "National Students for Justice in Palestine: Antisemitism, Anti-Americanism, Violent Extremism and the Threat to North American Universities," 2024, p. 17, https://isgap.org/wp-content/uploads/2024/06/SJP_Report.pdf . *See also* Alan Blinder, "Inside the Pro-Palestinian Group Protesting Across College Campuses," *New York Times*, Nov. 17, 2023, https://www.nytimes.com/2023/11/17/us/students-justice-palestine-campus-protests.html
[115] *See* https://www.adl.org/resources/backgrounder/students-justice-palestine-sjp and https://www.adl.org/resources/backgrounder/american-muslims-palestine-amp. *See also* The Institute for the Study of Global Antisemitism and Policy (ISGAP), "National Students for Justice in Palestine: Antisemitism, Anti-

SJP/NSJP are not an official incorporated entity. Also in 2010, the AMP hosted a conference for SJP wherein campus activism was the topic and the recognition of the need "to engage other groups and form connections that will benefit the universal fight for justice and self-identity- tenets that are central to SJP's work."[116]

Post Conviction

Despite the HLF convictions in 2008, other elements of the network appeared to continue their activities in furtherance of the conspiracy. They hosted joint events that drove false narratives and subtly seeded pro-terror narratives in collaboration with other entities, some of whom have been designated as terror fronts. Some of those activities are discussed below.

In the late 2010s, CAIR hosted events and marches with groups like AMP. CAIR began to also partner with propaganda organizations aligned with the leftists/Marxist FTO Popular Front for the Liberation of Palestine (PFLP) like Samidoun (now designated as an SDT for its role in supporting the PFLP).[117] In May 2021, CAIR, AMP, and Samidoun, among others, hosted a National March for Palestine in Washington D.C., where they called for sanctions against Israel.[118] In a City University of New York (CUNY) commencement speech, an SJP activist reportedly defended the HLF defendants as mere political prisoners and predicted the fall of not only Israel, but also of the United States.[119] In May 2023, an event was held in Brooklyn, New York, where participants advocated for "*Palestine will be free by any means necessary!,*" a reference to the annihilation of Israel through violence. That event was co-sponsored by AMP, SJP and other groups like Samidoun.[120]

With the signing of the Abraham Accords in 2020, progress was made in establishing peace in the Middle East with several countries normalizing relations with Israel.[121] Hamas, however, vehemently opposed the Abraham Accords.[122] According to a report by the Middle East Media Research Institute (MEMRI), AMP's Abuirshaid appeared on Al Hilwar TV with other Muslim Brotherhood leaders for an interview in Arabic about those Accords and furthered narratives

---

Americanism, Violent Extremism and the Threat to North American Universities," 2024, https://isgap.org/wp-content/uploads/2024/06/SJP_Report.pdf

[116] https://web.archive.org/web/20110110054323/http://www.ampalestine.org/index.php?option=com_content&view=article&id=1496:students-gather-at-amp-conference-to-network-organize-regional-activism-efforts-&catid=96:articles.

[117] *See e.g.*, https://www.cair.com/press_releases/cair-community-media-advisory-join-the-national-march-for-palestine-in-washington-d-c-on-saturday-may-29-sanctionisrael/

[118] https://www.cair.com/press_releases/cair-community-media-advisory-join-the-national-march-for-palestine-in-washington-d-c-on-saturday-may-29-sanctionisrael/

[119] https://www.memri.org/tv/sjp-activist-fatima-mohammed-cuny-law-school-commencement-speech-america-israel-empire-destruction

[120] https://www.memri.org/tv/brooklyn-nakba-day-rally-support-palestine-resistance-any-means-necessary

[121] Institute for National Security Studies (INSS), "Five Years On: Are the Abraham Accords Here to Stay?," INSS Insight No. 2035, September 16, 2025, https://www.inss.org.il/publication/abraham-accords-5-years/

[122] https://www.timesofisrael.com/four-years-on-abraham-accords-are-strained-by-gaza-war-but-prove-resilient/

consistent with those of Hamas.[123] Abuirshaid discussed how Hamas still sought the annihilation of Israel, even if it had to lie about that publicly in furtherance of its agenda. Abushaid (in Arabic) reportedly said the following:

> *Did Hamas talk about a two-state solution or did it not? We don't call it a two-state solution. We call it a Palestinian state within the 1967 borders, but what does it mean? Am I supposed to accept that Hamas does not believe in Palestine from the Jordan River to the Mediterranean Sea? Absolutely not! Hamas does believe in Palestine from the River to the Sea, but it has the principled position on the one hand and the political position on the other. The political position adapts with the constraints of reality, but it does not mean that Hamas has abandoned its principles*.[124]

Recent International Affiliations

International Union of Muslim Scholars

CAIR's Executive Director, Nihad Awad, traveled internationally and was identified through Arabic websites at meetings with the Qatar-based International Union of Muslim Scholars (IUMS) between 2012 and at least 2022, and was received by IUMS Secretary General Ali Qaradaghi.[125] The IUMS was founded by now-deceased senior Muslim Brotherhood leader Yusuf Al-Qaradawi who led IUMS through 2018,[126] an unindicted co-conspirator in the HLF trial who was an HLF "overseas" fundraiser along with a number of Hamas leaders like Mahmud Zahar and Mohammed Siam.[127] In the early 2000s, Qaradawi issued *Fatwas* (religious rulings) calling for violent *jihad* against Jews and legitimized suicide bombings as acts of martyrdom.[128]

An archived internet site depicts a photograph of Nihad Awad on a panel with Qaradawi in a 2012 IUMS event.[129] The topic of the article was a Qatari company planning to spend a billion dollars on films telling the story of their prophet Muhammad in the best possible manner. Despite Nihad

---

[123] MEMRI, "Muslim Brotherhood Intellectuals Debate Whether Hamas Should Be Untruthful About Its Goals When Addressing The West," De. 24, 2020. https://www.memri.org/tv/muslim-brotherhood-intellectuals-debate-hamas-untruthful-about-goals-talking-to-west, also posted at https://www.youtube.com/watch?v=AG4Iv7Q93EI

[124] MEMRI, "Muslim Brotherhood Intellectuals Debate Whether Hamas Should Be Untruthful About Its Goals When Addressing The West," January 5, 2021, Special Dispatch No. 9122, https://www.memri.org/tv/muslim-brotherhood-intellectuals-debate-hamas-untruthful-about-goals-talking-to-west, also posted at https://www.youtube.com/watch?v=AG4Iv7Q93EI

[125] https://iums.me/2484; https://alqaradaghi.com/%D8%A7%D9%84%D9%82%D8%B1%D9%87-%D8%AF%D8%A7%D8%BA%D9%8A-%D9%8A%D8%B3%D8%AA%D9%82%D8%A8%D9%84-%D8%A7%D9%84%D8%B3%D9%8A%D8%AF-%D9%86%D9%87%D8%A7%D8%AF-%D8%B9%D9%88%D8%B6-%D8%A7%D9%84%D9%85%D8%AF%D9%8A/, https://iumsonline.org/ar/ContentDetails.aspx?ID=25105, (accessed August 3, 2026).

[126] Sergio Altuna, *Beyond Islamic Guidance: Qatar-based IUMS as an Agitator in the Israel-Hamas War*, George Washington University, Program on Extremism, December 2023, https://extremism.gwu.edu/beyond-islamic-guidance.

[127] Testimony of Robert Miranda, *United States v. Holy Land Foundation et al.*, 3:04-cr-240-G (N.D. Tex. 2008) ("HLF"). See also Government Exhibit HLF Search 126.

[128] https://www.arabnews.jp/en/middle-east/article_81246/

[129] https://archive.ph/KwaHx

Awad proclaiming to the American public that he opposes violence against all civilians, when Qaradawi died in 2022 (after he had issued *fatwas* authorizing suicide bombings and *jihad*), Nihad Awad posted a photograph of Qaradawi on X and said that Qaradawi was "the most influential contemporary Muslim scholar."[130]

In 2017, Saudi Arabia, Egypt, Bahrain, and the United Arab Emirates labeled the IUMS as a terrorist.[131]

Another prominent founder of the IUMS was (now deceased) Sheikh Abdul Majeed al-Zindani[132] who was designated as a terrorist by the U.S. government in February 2004 for his support for Al Qaeda and Usama bin Laden.[133] Abdl al Majid al-Zindani was also a board member of the designated Hamas front, the Union of Good,[134] of which the HLF was a part. A Facebook post, reportedly from Nihad Awad on the date of al-Zindani's death in 2024 said (in Arabic):

> *"The Muslim umma has lost one of its greatest figures and leaders with the passing of the esteemed scholar and activist, Sheikh Abdul Majeed al-Zindani, who dedicated his life to serving the Quran and elucidating its limitless miracles. He remained steadfast and resolute in the face of challenges, trials, pressures, and labels until he met his Lord. Condolences to his family, to Yemen, and to our umma.*[135]
>
> *We ask God, the most gracious, the most merciful, the most forgiving, to have mercy on him, forgive him, and reward him on behalf of the umma with the best of rewards."*

In the wake of the October 7 Hamas attack on Israel, the IUMS issued two *fatwas*, or religious rulings. One of those appeared aligned with Hamas' narrative that the October 7 atrocities were legitimate, and stated, in part:

> *"What the people of Gaza and Palestine are doing is a legitimate jihad that is obligatory for them…supporting the people of Gaza and Palestine is a legal duty for the people of Islam."*[136]

IUMS has additional ties to Hamas leadership, including now-deceased SDGT Ismail Haniyeh. In 2024, Haniyeh attended the IUMS's conference in Qatar entitled, "The Al-Aqsa Flood and the

---

[130] http://archive.today/cRiaJ
[131] "Arab states blacklist Islamist groups, individuals in Qatar boycott," Reuters, November 22, 2017, https://www.reuters.com/article/world/arab-states-blacklist-islamist-groups-individuals-in-qatar-boycott-idUSKBN1DM2XJ/.
[132] International Union of Muslim Scholars (IUMS), "The Union extends its condolences on the passing of Sheikh Abdul-Majid bin Aziz Al-Zindani, April 23, 2024, https://web.archive.org/web/20250421114355/https://iumsonline.org/en/ContentDetails.aspx?ID=34989.
[133] "United States Designates bin Laden Loyalist," U.S. Department of the Treasury Press Release, February 24, 2004, https://home.treasury.gov/news/press-releases/js1190
[134] https://home.treasury.gov/news/press-releases/hp1267
[135] Nihad Awad Facebook post, April 23, 2024, https://archive.ph/JUXoy#
[136] Sergio Altuna, *Beyond Islamic Guidance: Qatar-based IUMS as an Agitator in the Israel-Hamas War*, George Washington University, Program on Extremism, December 2023, p. 11, https://extremism.gwu.edu/beyond-islamic-guidance.

Role of the Islamic Nation."[137] "Al-Aqsa Flood" is the name Hamas branded its October 7 atrocities.[138]

Notably, historical reports also reveal IUMS has ties to the original US-based Hamas and Muslim Brotherhood infrastructure. Arab media reports indicate Mohamed Akram (author of *The Explanatory Memorandum,* #2 on the *1991 List*, #2 on the *Palestine Section America* list along with Nihad Awad, and also on the *1988 Chart*) via his role as Secretary General of the "Jerusalem International Foundation" collaborated with Qaradawi and the IUMS as early as 2007.[139] Further Mohamed Akram appears to have been a signatory along with Qaradaghi on a 2020 *Fatwa* issued by IUMS "prohibiting peace and normalization with the occupiers of Al-Aqsa, Jeruslaem, and Palestine."[140] Other signatories on that *Fatwa* who were an opposition to the Abraham Accords (which Hamas vehemently opposed), included CAIR-affiliate Omar Shaheen.[141] Further, Mohamed Akram reportedly appeared in a November 2020 virtual conference with IUMS representatives entitled, "Jerusalem is a trust, normalization is treason," that featured SDGT Ismail Haniyeh.[142]

It is worth stating here that CAIR posts on its websites about "Urban Legends" and denies connections to the Muslim Brotherhood; likewise, the CAIR Texas chapter, co-founded by convicted Hamas supporter Ghassan Elashi, addresses *The Explanatory Memorandum* on its website as a document that "lays out one man's preposterous proposal for Islam in America."[143] The post goes on to state, "[*The Explanatory Memorandum*] appears to have been written as a plea to the Muslim Brotherhood leadership for action, by an author we know little about, Mohamed

---

[137] https://iumsonline.org/ar/ContentDetails.aspx?ID=32131&

[138] https://palinfo.com/wp-content/uploads/2025/12/OurNarrative.pdf, archived at https://archive.is/74G1p. See also https://www.alaraby.co.uk/politics/%D9%88%D8%AB%D9%8A%D9%82%D8%A9-%D8%AD%D9%85%D8%A7%D8%B3-%D8%AD%D9%88%D9%84-%D8%B7%D9%88%D9%81%D8%A7%D9%86-%D8%A7%D9%84%D8%A3%D9%82%D8%B5%D9%89-%D8%A7%D9%84%D9%86%D8%B5-%D8%A7%D9%84%D9%83%D8%A7%D9%85%D9%84 https://www.aa.com.tr/ar/%D8%A5%D8%B3%D8%B1%D8%A7%D8%A6%D9%8A%D9%84/%D8%AD%D9%85%D8%A7%D8%B3-%D8%AA%D8%B5%D8%AF%D8%B1-%D9%83%D8%AA%D9%8A%D8%A8%D9%8B%D8%A7-%D9%8A%D9%88%D8%B6%D8%AD-%D8%B1%D9%88%D8%A7%D9%8A%D8%AA%D9%87%D8%A7-%D8%AD%D9%88%D9%84-%D8%B7%D9%88%D9%81%D8%A7%D9%86-%D8%A7%D9%84%D8%A3%D9%82%D8%B5%D9%89/3115051

[139] https://palinfo.com/news/2009/09/08/235870/

[140] https://www.iumsonline.org/ar/ContentDetails.aspx?ID=12334 (accessed May 17, 2026).

[141] https://www.iumsonline.org/ar/ContentDetails.aspx?ID=12334 (accessed May 17, 2026).

[142] https://shehabnews.com/post/72288/%D8%A8%D8%A7%D9%84%D9%81%D9%8A%D8%AF%D9%8A%D9%88-%D8%A7%D9%84%D9%82%D8%AF%D8%B3-%D8%A3%D9%85%D8%A7%D9%86%D8%A9-%D8%A7%D9%84%D8%AA%D8%B7%D8%A8%D9%8A%D8%B9-%D8%AE%D9%8A%D8%A7%D9%86%D8%A9-%D8%A7%D9%86%D8%B7%D9%84%D8%A7%D9%82-%D8%A3%D8%B6%D8%AE%D9%85-%D9%85%D8%A4%D8%AA%D9%85%D8%B1-%D8%A5%D9%84%D9%83%D8%AA%D8%B1%D9%88%D9%86%D9%8A-%D8%B9%D8%A7%D9%84%D9%85%D9%8A-%D9%84%D9%86%D8%B5%D8%B1%D8%A9-%D8%A7%D9%84%D9%82%D8%AF%D8%B3

[143] https://www.cairtx.org/about-us/dispelling-rumors-about-cair

Akram."[144] That "one man," Mohamed Akram, was a senior leader in the US Muslim Brotherhood, a leader in the US Muslim Brotherhood's Palestine Committee, on a list with CAIR co-founders Nihad Awad and Omar Ahmad entitled *Palestine Section America* found in a 1994 FBI cover search, and he continues his work through at least 2020 via collaboration with the IUMS, an entity with whom CAIR Executive Director Nihad Awad is affiliated.

In June 2026, another IUMS official, Mohammed Al-Sagheer, reportedly stated that "Anyone who demands that Hamas surrender its weapons is a traitor…" and called for Allah to destroy Trump, Netanyahu and all their supporters.[145]

Popular Conference for Palestinians Abroad

AMP's Executive Director Osama Abuirshaid has collaborated with the Popular Conference for Palestinians Abroad (PCPA) as discussed below. On January 21, 2026, the U.S. Treasury Department designated the PCPA, stating in part:[146]

> *The PCPA is also clandestinely acting on behalf of Hamas. As a front organization for Hamas, it operates in accordance with Hamas directives and was established and managed by operatives from Hamas's Bureau of International Relations, which at the time was led by* ***Mussa Abu Marzouk****…"*[147]
>
> *On April 19, 2018,* ***Ismail Haniyeh*** *signed a letter addressed to the Hamas Political Bureau that outline his guidance for how Hamas should take control over the Palestinian political process. One element of this plan was to escalate violence against Israel. The other was to boost Hamas's international outreach, with the PCPA identified as a core part of this strategy…The goal of the PCPA, and the reason behind Hamas's secret links to the organization, is for Hamas to clandestinely expand its political influence through a group that purportedly represents the interests of the Palestinian diaspora."*[Emphasis Added by Author.]

In the same announcement, the U.S. Treasury Department discussed Hamas leader Majeed Al-Zeer's role (listed in the document found in Ashqar's home- *Palestine Section/Outside America*) as a major figure in the Popular Conference for Palestinians Abroad (PCPA), and reiterated Al-Zeer's October 7, 2024 designation as a senior Hamas representative.[148]

Regarding Abuirshaid's collaboration with the PCPA, according to a website posting from 2020 that is no longer active, Abuirshaid participated in a PCPA conference in Turkey.[149] Arab media

---

[144] https://www.cairtx.org/about-us/dispelling-rumors-about-cair
[145] https://www.memri.org/tv/turkey-mohammed-al-sagheer-destroy-trump-netanyahu-hamas-disarmament-traitors
[146] https://home.treasury.gov/news/press-releases/sb0368
[147] https://home.treasury.gov/news/press-releases/sb0368
[148] "Treasury Targets Significant International Hamas Fundraising Network," U.S. Department of the Treasury Press Release, October 7, 2024, https://home.treasury.gov/news/press-releases/jy2632, https://home.treasury.gov/news/press-releases/jy2632
[149] https://palabroad.org/ar/post/Z4G6?utm (accessed circa 2025).

sources indicate the Istanbul conference opened under the title "أولويات القضية الفلسطينية في المرحلة القادمة ودور فلسطينيي الخارج المنشود" ("The Priorities of the Palestinian Cause in the Coming Phase and the Desired Role of Palestinians Abroad") and identified Majeed al-Zeer as "القائم بأعمال رئيس الهيئة العامة للمؤتمر الشعبي لفلسطينيي الخارج" ("acting head of the general assembly of the Popular Conference for Palestinians Abroad").[150]

This conference was hosted by the Center for Islam and Global Affairs (CIGA), an entity directed by Sami Al-Arian[151] who was convicted of conspiring to provide support to the FTO Palestinian Islamic Jihad[152] before he was deported to Turkey. At least one other website of unknown reliability reported Al-Zeer spoke along with Sami Al Arian at this PCPA conference wherein one of the topics was reportedly: "Leaving the Oslo Accords and calling for their termination, and supporting popular resistance…and affirmation of the Palestinian people's right to resist."[153]

A now-removed photograph that was posted on the PCPA website showed Abuirshaid at the 2020 PCPA conference, next to a man who bears a striking resemblance (but unconfirmed) to the now-designated terrorist Majeed Al-Zeer.[154]

[150] https://palinfo.com/news/2020/10/31/183358/ , https://www.aa.com.tr/ar/%D8%AF%D9%88%D9%84%D9%8A/%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B1%D8%AC-%D9%8A%D8%AC%D8%AF%D8%AF-%D8%A7%D9%84%D8%AF%D8%B9%D9%88%D8%A9-%D9%84%D8%A5%D8%B9%D8%A7%D8%AF%D8%A9-%D9%87%D9%8A%D9%83%D9%84%D8%A9-%D9%85%D9%86%D8%B8%D9%85%D8%A9-%D8%A7%D9%84%D8%AA%D8%AD%D8%B1%D9%8A%D8%B1/1924951

[151] https://www.izu.edu.tr/en/ciga/about-us/director's-message

[152] "Sami Al-Arian Pleads Guilty To Conspiracy To Provide Services To Palestinian Islamic Jihad," U.S. Department of Justice, April 17, 2006, https://www.justice.gov/archive/opa/pr/2006/April/06_crm_221.html

[153] https://www.odabasham.net/%D8%B3%D8%A7%D8%AD%D8%A9-%D8%AD%D8%B1%D8%A9/118526-%D9%85%D8%B3%D8%AA%D8%AC%D8%AF%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%A4%D8%AA%D9%85%D8%B1-%D8%A7%D9%84%D8%B4%D8%B9%D8%A8%D9%8A-%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B1%D8%AC-901

[154] https://palabroad.org/ar (accessed May 15, 2026).



Screenshot from https://palabroad.org/ar

Further, as of 2025, the PCPA website hosted several articles by Abuirshaid, but the link is no longer active.[155]

Archived social media also indicates Abuirshaid had previously attended CIGA events. On his own Facebook account from a February 2020 post(archived), Abuirshaid stated in Arabic, "my joy will be amplified when we reclaim our national project from those who thwarted it, and my joy will be complete with the liberation of Palestine, its land and its people."[156] According to the post, he was returning from participating in a CIGA conference in Istanbul.

Further, one CAIR official recently participated in an international conference wherein Majeed Al-Zeer spoke. In October 2025, CAIR Ohio leader, Khalid Turaani, participated in a virtual conference hosted by the al-Zaytouna Center in Beirut entitled, "Palestinians Abroad and Regional

[155] https://palabroad.org/ar/author/Osama-abo-arshyd (access circa 2025).
[156] Osama Abulrshaid [note alternate spelling] Facebook post, February 4, 2020, https://archive.ph/gMuQG#selection-437.1-1540.0

and International Strategic Transformations in the Light of Al-Aqsa Flood."[157] As previously stated, Hamas branded its October 7 massacre as "Al-Aqsa Flood." The conference appeared to be a strategy session for Palestinians in the diaspora in light of the Hamas attacks. Another participant in that conference was the now-designated Majeed al-Zeer.[158] When questioned about his participation, Turaani told *The Free Press* that he had "'never participated in any panels' with al-Zaar or interacted with him…'"[159]

Post October 7, 2023

On October 7, 2023, Hamas conducted a massacre when it invaded Israel, killing approximately 1,200 people and taking over 250 people hostage. Actions taken by CAIR, AMP, SJP and others in the wake of that attack have included the reframing of the atrocities as legitimate resistance and/or, as acts of self-defense, consistent with senior Hamas leaders' messaging. For example, in October 2025, according to an Arabic media interview capture by MEMRI, Marzook publicly stated Hamas is not a terror organization and merely a "national liberation movement."[160] Likewise, Hamas leader Khaled Mishal, the half-brother of convicted HLF defendant Mufid Abdulqader (IAP/HLF), refers to Hamas violent operations as "resistance."[161]

Within days, the SJP published a graphic, detailed manual entitled "Resistance Toolkit"[162] wherein it characterized the Hamas atrocities as mere "resistance" and swore to bring the resistance to US college campuses.[163]

In November 2023, Nihad Awad gave a speech wherein he appeared to frame the massacre as an act of self-defense and said he was "happy" to see people "break the siege."[164] After the White House condemned the statements, Nihad Awad reportedly said his statements were "taken out of

[157] Lahav Harkov, "CAIR-Ohio Leader Moderated Event Featuring Designated Terrorist," *Jewish Insider*, October 27, 2025, https://jewishinsider.com/2025/10/cair-hamas-member-majed-al-zeer-web-conference-speakers/
[158] "Treasury Targets Significant International Hamas Fundraising Network," U.S. Department of the Treasury Press Release, October 7, 2024, https://home.treasury.gov/news/press-releases/jy2632
[159] Maya Sulkin, "CAIR Official Joins Hamas Leader at 'Al-Aqsa Flood' Event," *The Free Press*, Oct. 28, 2025, https://www.thefp.com/p/cair-official-joins-hamas-leader-al-aqsa-flood-event
[160] https://www.memri.org/tv/mousa-abu-marzouk-trump-gaza-plan-hostages-terror-free
[161] Hamas leader rejects disarmament while Israeli occupation of Gaza continues, Al Jazeera (February 2026), https://www.aljazeera.com/news/2026/2/8/hamas-leader-rejects-disarmament-while-israeli-occupation-of-gaza-continues
[162] "Day of Resistance Toolkit," Exhibit A to the Complaint, *Parizer v. AJP Educational Foundation Inc*. 1:24-cv-00724 (E.D. Va. May 1, 2024) https://storage.courtlistener.com/recap/gov.uscourts.vaed.553122/gov.uscourts.vaed.553122.1.1_1.pdf
[163] ADL Center on Extremism, "Students for Justice in Palestine Endorses Terrorism and 'Dismantling Zionism;' Plans Day of Resistance," Oct. 9, 2023, https://www.adl.org/resources/article/students-justice-palestine-endorses-terrorism-and-dismantling-zionism-plans-day
[164] https://www.memri.org/reports/cair-executive-director-nihad-awad-american-muslims-palestine-amp-convention-i-was-happy-see

context."[165] This reframing of Hamas terror attacks is consistent with Hamas' agenda to legitimize its atrocities.

In April 2024, AMP Executive Director[166] and former IAP leader Osama Abuirshaid (of IAP, UASR, AMP) led a fiery speech in a campus protest where he stated, "We will take back these colleges as we will take back America, as we will take back Palestine, as we will take back our humanity."[167]

In July 2024, Hamas leader SDGT Ismail Haniyeh was killed in Tehran, Iran.[168] Haniyeh was head of the Hamas Political Bureau when Hamas committed the October 7 attack. CAIR San Francisco leader Zahra Billoo reportedly lauded Haniyeh as a martyr and said, "Never say that those martyred in the cause of Allah are dead- in fact, they are alive…Tonight, we mourn Ismail himself but know his martyrdom is not in vain. From the river to the sea, Palestine will be free."[169] Billoo's narrative painting Haniyeh as a hero and not a terrorist responsible for the murder of 1200 people mirrored the propaganda disseminated by Hamas wherein they referred to Haniyeh as a martyr and said, "…and do not think that those who are killed in the way of God are dead. Rather, they are alive…"[170] Hamas further stated Haniyeh's "blood will not be shed in vain but will illuminate the path to liberation."[171]

CAIR and AMP have continued to co-sponsor and participate jointly in anti-Israel events wherein narratives are often twisted, and CAIR has condemned actions taken against "pro-Palestine voices" [SJP members] who violated the law and/or university codes of conduct, characterizing those universities' actions as Islamophobia.[172] Further, CAIR has financially sponsored certain SJP members who violated campus codes of conduct, claiming the students were merely "targeted for their pro-Palestinian advocacy."[173]

---

[165] Peter Baker, "White House Disavows Islamic Group After Oct 7 Remarks," *New York Times*, Dec. 8, 2023, https://www.nytimes.com/2023/12/08/us/politics/white-house-cair-nihad-awad.html
[166] https://www.ampalestine.org/about-amp/our-team
[167] https://www.memri.org/tv/executive-director-american-muslims-palestine-osama-abuirshaid-george-washington-university-encampment-change-america-zionism-removed
[168] "Israel Confirms it Killed Hamas leader Haniyeh in Tehran," BBC, December 23, 2024. https://www.bbc.com/news/articles/c0ewr870z23o
[169] "CAIR Leader Mourns Hamas Head Haniyeh: 'His Martyrdom is Not in Vain," *Washington Free Beacon* (July 31, 2024), https://freebeacon.com/israel/cair-leader-mourns-hamas-head-haniyeh-his-martyrdom-is-not-in-vain/.
[170] https://www.aljazeera.com/news/2024/7/31/read-hamass-statement-on-the-killing-of-ismail-haniyeh-in-iran
[171] https://www.aljazeera.com/news/2024/7/31/read-hamass-statement-on-the-killing-of-ismail-haniyeh-in-iran
[172] *See e.g.*,https://www.cair.com/press_releases/cairs-maryland-office-amp-to-hold-emergency-ceasefirenow-protests-for-gaza-at-offices-of-md-elected-officials/ and https://www.cair.com/press_releases/cair-designates-uc-irvine-as-a-hostile-campus-over-retaliation-against-pro-palestinian-anti-genocide-students-and-faculty/
[173] https://www.cair.com/press_releases/cair-acc-announce-new-fund-to-help-students-targeted-for-palestine-advocacy-on-college-campuses/; https://www.cair.com/press_releases/palestine-legal-cair-announce-historic-100k-settlement-from-u-of-maryland-for-unlawfully-suppressing-pro-palestinian-student-speech/

CAIR has also begun publishing a "Hostile Campus" report, labeling various US universities as "targeting anti-genocide voices."[174]

Washington Trust Foundation

Notably, on November 18, 2025, the State of Texas issued a proclamation designating CAIR as a foreign terrorist organization and in December 2025, the State of Florida also designated CAIR as a foreign terrorist organization. CAIR has brought lawsuits challenging both designations. While those designations and surrounding litigation are not the topic of this research product, a series of events involving CAIR and it's alter-ego is noteworthy. To understand these events, it is necessary to understand CAIR's various name changes.

As stated herein, CAIR was incorporated in September 1994 in Washington, D.C. under the name Council on American Islamic Relations, Inc. (D.C entity number 942995). According to D.C. filings, CAIR (D.C. entity number 942995) changed its name to "Council on American-Islamic Relations Action Network" in June 2007 but continued operating under the same business entity number, and then changed its name again to the Washington Trust Foundation (WTF) in 2013. WTF has held 501(c)3 status since August 2014 under EIN: 52-1887951, but continues operating under the original Washington, D.C. based entity (D.C entity number 942995) that began as CAIR. Meanwhile, CAIR leaders incorporated CAIR-Foundation in 2005 (D.C. entity number 250484), months after the original HLF indictments were made public. WTF's stated purpose was to support "the charitable purposed of CAIR-Foundation, Inc.[175] Across both Washington, D.C. business entities, CAIR leader Nihad Awad (aka Nehad Hammad) is a principal officer[176] and CAIR's general counsel Lena Masri[177] is WTF's registered agent.[178]

It appears CAIR may have begun to move assets after learning of the designations, and this move involved WTF and another company created by CAIR officials earlier in 2025 named Sage Foundation. In its incorporation documents, Sage Foundation says its purpose is to support CAIR-Foundation, Inc.[179] On December 23, 2025, just weeks after the Florida designation, WTF transferred the deed to CAIR's headquarters office in Washington, D.C. to Sage Foundation. Then, in February 2026, Sage Foundation transferred 45% interest in CAIR's headquarters to NAIT (listed in the *1988 Chart* and the *Explanatory Memorandum* and identified as an HLF co-conspirator/joint venturer at the HLF trial).

Specifically, at 11:27 on the morning of February 13, 2026, a deed was recorded. It handed an undivided 45% of 453 New Jersey Avenue SE, the national headquarters of the Council on American-Islamic Relations, to the North American Islamic Trust for $4,000,000. The seller was

[174] https://www.cair.com/press_releases/community-advisory-cair-launches-hostile-campuses-webpage-highlighting-campuses-known-for-targeting-anti-genocide-voices/
[175] https://projects.propublica.org/nonprofits/display_990/521887951/2014_12_EO%2F52-1887951_990_201312
[176] https://projects.propublica.org/nonprofits/organizations/521887951/202513159349304086/full
[177] https://corponline.dlcp.dc.gov/homepage/business-info
[178] https://corponline.dlcp.dc.gov/homepage/business-info
[179] blob:https://corponline.dlcp.dc.gov/f93b037d-53eb-4b05-92b7-d929811dcdc6

a nonprofit called Sage Foundation, and the man who signed for it was Eyas Abdeen.[180] Each name in that sentence connects back to CAIR. Abdeen is CAIR Foundation's treasurer, and a board member since 2021.[181] Sage Foundation was eight months old on the day of the sale: incorporated by Abdeen, Sage's registered agent is CAIR's general counsel Lena Masri, Sage's address is the headquarters building itself, and it is already listed by the District of Columbia's corporate registry as "Active, Not in Good Standing" for missing its first biennial report.[182] Sage had held the building for only seven weeks at the time of the transfer. It took title on December 23, 2025 from WTF.[183] Meaning, CAIR began the process of moving this valuable asset within weeks of the Florida designation.

A review of CAIR's website did not reveal any type of announcement regarding this significant asset transfer which begs the question of whether they were transparent with their donors.[184]

Conspiracy-Generally

The recent activities of CAIR and the AMP, discussed above, are consistent with the goals set forth by the original elements of this network in the *1993 Philadelphia Meeting* and indicate the conspiracy is on-going.

A criminal conspiracy is an agreement between two or more people to do something that is against the law.[185] [186] The agreement does not need to be formalized in writing, or even stated orally, as

[180]Special Warranty Deed, made February 3, 2026, recorded February 13, 2026, 11:27 a.m., Instrument No. 2026014277, D.C. Recorder of Deeds. Grantor: Sage Foundation. Grantees, as tenants in common: The North American Islamic Trust, Inc. (Illinois not-for-profit), undivided 45%; Sage Foundation, undivided 55%. Consideration $4,000,000.00. Property: Lot 83, Square 693 (453 New Jersey Ave SE / 50 E Street SE). Title agent: Mode Title, LLC. Copy on file; reproduced at Exhibit G. Signature page at Exhibit I.

[181] Eyas Abdeen executed the deed as "Treasurer" of Sage Foundation (Exhibit I); the same Eyas Abdeen is Treasurer of CAIR Foundation per its FY2023 and FY2024 Forms 990, a board member since 2021. ProPublica Nonprofit Explorer, CAIR Foundation Inc, EIN 77-0646756: Cair Foundation Inc - Nonprofit Explorer - ProPublica

[182] D.C. Department of Licensing and Consumer Protection, CorpOnline, entity record for SAGE Foundation, Initial File No. N00008421502 (retrieved June 10, 2026): filed May 13, 2025; address 50 E Street SE (the headquarters); incorporator Eyas Abdeen, 120 E. Broad St., Unit A, Falls Church, VA; registered agent Lena F. Masri, email Lmasri@cair.com, 453 New Jersey Ave SE; beneficial owner Malik Conn; status Active, Not in Good Standing (biennial report due Apr. 1, 2026, unfiled). Exhibit K. https://corponline.dlcp.dc.gov/

[183] Deed, Washington Trust Foundation, Inc. (grantor) to Sage Foundation (grantee), recorded December 23, 2025 as Instrument No. 2025124502, D.C. Recorder of Deeds; Square 693, Lot 83. Copy on file; reproduced at Exhibit H. Live index: Official Records Search

[184] CAIR Foundation FY2024 Form 990: revenue $9,379,629; contributions $8,758,688 (93.4%). ProPublica: Cair Foundation Inc - Nonprofit Explorer - ProPublica. No announcement of the headquarters transactions appears on CAIR's site or in its public materials as of June 10, 2026.

[185] "The essence of conspiracy is 'the combination of minds in an unlawful purpose.'" *Smith v. United States*, 568 U.S. 106, 110, (2013).

[186] "Conspiracy, in the modern law, is generally defined as a confederacy of two or more persons to accomplish some unlawful purpose" *Ocasio v. United States*, 578 U.S. 282, 287 (2016).

long as there is an understanding.[187] Depending on the nature of the conspiracy, an overt act taken by a conspirator to advance the conspiracy, may be required.[188] For terrorism conspiracies, however, such an act is not required for the criminal conspiracy to exist.[189]

In order to determine whether a conspiracy exists, and whether a specific person is a member of the conspiracy, law enforcement will often look at the statements and acts of the conspirators; whether the actions are in concert and/or the statements are directed to a common goal.[190] Not every conspirator has to commit every act of the conspiracy, [191] nor does the underlying criminal purpose need to be achieved. In other words, a bank does not have to be robbed in order for there to be a conspiracy to rob a bank.

Under the Federal Rules of Evidence, statements made by a conspirator in furtherance of the conspiracy can be admitted as evidence at a trial against all the conspirators.[192] To be clear, members of a conspiracy are not criminally charged for their protected speech but instead are charged for their acts. But, as in the Miranda warnings, anything they say can be used against them.[193]

A conspirator will always be a member of a conspiracy,[194] and responsible for the acts of the other conspirators that were done in furtherance of the conspiracy, even if the member joins the conspiracy after it started.[195] In order to no longer be a member of a conspiracy a member must take affirmative steps to withdraw.[196]

---

[187] "A conspiracy need not be shown by proof of an explicit agreement but can be established by showing that the parties have a tacit understanding to carry out the prohibited conduct." *United States v. Svoboda*, 347 F.3d 471, 477 (2d Cir. 2003); see also *United States v. Cooper*, No. 22-2709-CR, 2024 WL 4533335, at *2 (2d Cir. Oct. 21, 2024).
[188] Title 18, United States Code, Section 371; Section 5.08(A) Conspiracy - Overt Act Required. Seventh Circuit Pattern Jury Instructions (2023).
[189] Title 18, United States Code, Section 2339B.
[190] "In other words, Abdulqader's speech may have been protected prior to Hamas's designation as a terrorist organization, but it became relevant to proving whether he joined the conspiracy that began after the designation. By instructing the jury to consider the intent of the speech as alleged in the indictment, the charge merely permitted the jury to determine whether the Government's theory of the case was correct and did not permit conviction based solely on speech." *United States v. El-Mezain*, 664 F.3d 467, 538 (5th Cir. 2011), *as revised* (Dec. 27, 2011).
[191] "The government does not have to prove that the defendant intended to commit the underlying offense himself/herself." Instead, '[i]f conspirators have a plan which calls for some conspirators to perpetrate the crime and others to provide support, the supporters are as guilty as the perpetrators.'" *Ocasio v. United States*, 578 U.S. 282, 288 (2016) (citations omitted).
[192] Fed. R. Evid. 801(d)(2)(E) https://www.law.cornell.edu/rules/fre/rule_801.
[193] "It is well established under First Amendment principles that there is no prohibition on 'the evidentiary use of speech to establish the elements of a crime or to prove motive or intent.'" *United States v. El-Mezain*, 664 F.3d 467, 537 (5th Cir. 2011), *as revised* (Dec. 27, 2011), *citing Wisconsin v. Mitchell*, 508 U.S. 476, 489 (1993).
[194] "Upon joining a criminal conspiracy, a defendant's membership in the ongoing unlawful scheme continues until he withdraws." *Smith v. United States*, 568 U.S. 106, 107 (2013).
[195] "Since conspiracy is a continuing offense, a defendant who has joined a conspiracy continues to violate the law 'through every moment of [the conspiracy's] existence,' and he becomes responsible for the acts of his co-conspirators in pursuit of their common plot. Withdrawal terminates the defendant's liability for post withdrawal acts of his co-conspirators, but he remains guilty of conspiracy." *Id* at 111. (citations omitted).
[196] "[T]o avert a continuing criminality" there must be "affirmative action ... to disavow or defeat the purpose" of the conspiracy." *Id.* at 113.

There are, however, some instances where conspirators can be charged for their speech, as not all speech is protected by the First Amendment. Some speech that is designed to cause harm, either emotional or physical, such as incitement, is not protected.[197] An individual cannot scream fire in a crowded movie theatre because of the panic it would cause. A person cannot make a threat online to kill someone else because of the emotional trauma to the victim.[198] And people cannot use speech, in whatever form, to provide material support to a designated foreign terrorist organization if done so at the direction or control of, or in collaboration with, the terrorist organization.[199]

Conclusion

The 2008 conviction of the Holy Land Foundation (HLF) and its officials exposed a broader, long-running network in the United States tied to Hamas through individuals and organizations associated with the Muslim Brotherhood. Evidence presented at the HLF trial, including documents seized in FBI investigations, outlined a structured "Palestine Committee" originally made up of groups such as HLF, the IAP, and the UASR, which worked together to provide financial, media, and political support to Hamas. The agenda of the Palestine Committee was to support Hamas.

In the *1993 Philadelphia Meeting*, a conspiratorial meeting that was captured on FBI wiretap, members of the Palestine Committee defined the scope of the conspiracy, and it was out of that conspiratorial meeting that CAIR was created to protect the other elements of the network. That network has evolved since 1993, but elements of that network appear to be continuing the conspiracy and committing acts in furtherance thereof. Each organization and individual within this conspiracy has/had their own role. The HLF's role in this conspiracy, before it was designated as a terror front, was to send money to Gaza and the West Bank to support the Hamas radicalization of society. The IAP's role was to disseminate Hamas propaganda. CAIR's role in the conspiracy was to defend and protect the other elements of the network and to pressure others to adopt its narratives or remain quiet.

Regarding the last point, in the *1993 Philadelphia Meeting*, this network in effect plotted to silence the free speech of those who disagreed with them via intimidation. Specifically, in a discussion between CAIR co-founders Nihad Awad and Omar Ahmad, as well as others, Omar Ahmad stated they must "pressure" others to adopt their narratives or "remain neutral." The pressure tactics

---

[197] "[T]he First Amendment precludes punishment, whether civil or criminal, unless the speaker's words were "intended" (not just likely) to produce imminent disorder." *Counterman v. Colorado*, 600 U.S. 66, 76 (2023).
[198] Title 18, United States Code, Section 875(c).
[199] "[S]peech itself may be criminal under certain circumstances. As relevant to the case at bar, for example, the Supreme Court recently upheld § 2339B in an as applied First Amendment challenge, holding that Congress could criminalize speech that provides material support to designated terrorists. *See Holder v. Humanitarian Law Project*, 561 U.S. 1, 130 S. Ct. 2705, 2724, 177 L.Ed.2d 355 (2010) (stating that Congress could 'prohibit what plaintiffs want to do—provide material support to [the designated terrorist organizations] in the form of speech'). The Court held that § 2339B is not limited to prohibiting monetary support of terrorists, and the statute is tailored to reach only material support 'coordinated with or under the direction of a designated foreign terrorist organization.'" *Id.* at 2726. *United States v. El-Mezain*, 664 F.3d 467, 537 (5th Cir. 2011), *as revised* (Dec. 27, 2011).

are still in play today. CAIR and other elements of this network appear to have continued their acts in furtherance of the conspiratorial agenda. Their conduct since October 7, 2023, further suggests that they have not withdrawn from the conspiracy.

For decades, narratives have been intentionally seeded into public discourse that portray terrorist organizations as resistance movements, excuse acts of violence, and intimidate critics into silence. On college campuses, in activist spaces, and across social media, slogans and rhetoric that once existed on the fringes have become normalized. And too often, people who raise concerns are immediately labeled hateful, intolerant, or extremist themselves.

But free societies cannot function when intimidation replaces debate.

The First Amendment protects speech. It protects dissent. It protects protest. But it does not protect material support for terrorism. It does not protect criminal conspiracies. And it does not require Americans to ignore evidence introduced in federal court simply because that evidence is politically uncomfortable.

Policy Considerations

Federal Enforcement Entities

Recommend the FBI/IRS/DOJ institute criminal investigations into referenced organizations and individuals with a focus on:

a. Violations of the Foreign Agent Registration Act (FARA).
b. Violations of 18 USC §2239B, which criminalizes the provision of material support to an FTO.
c. Tax Evasion/ Tax Fraud.
d. Violations of the Racketeering Influence and Corruption Act (RICO).

Recommend IRS/DHS/DOJ institute civil/administrative investigations and proceedings for:

a. Violations of 501(c)3 requirements.
b. Violations of the Immigration and Nationality Act.
c. Civil/administrative audits.

Federal Legislation:

a. Enhance transparency in reporting for 501(c) 3 tax exempt organizations, with specific focus on requirements to identify foreign donors.
b. Enhance regulatory and enforcement authority for violations of 501(c) 3 requirements.
c. Update federal laws regarding the provision of material support to an FTO, specifically articulating when speech constitutes a “service” to an FTO in line with the opinion of the U.S. Supreme Court in Holder v. Humanitarian Law Project.

d. Update federal laws establishing mandatory minimum sentences for terrorism-related convictions.
e. Require K-12 schools to report foreign funding and transparency.

State Agencies:

a. Enact legislation requiring K-12 schools report foreign funding and ensure state agencies have corresponding investigative and enforcement authorities.
b. Enact legislation requiring individuals and entities register with the state if they are doing political, lobbying, public relations, or educational activities on behalf of a foreign government, a foreign entity, and/or a foreign individual.
c. Enhance reporting requirements for entities who operate within a state and receive tax benefits, state vouchers, or other state benefits.
d. Enact legislation that requires K-12 curriculum to be void of language that advocates for violence against a protected class.

EXHIBIT C

Exhibit 18

Testimony of Kyle Shideler

Director and Senior Analyst for Homeland Security and Counterterrorism, Center for Security Policy

August 5, 2026

Before the Subcommittee on Federal Courts, Oversight, Agency Action and Federal Rights, Senate Committee on the Judiciary

Chairman Cruz, Ranking Member Whitehouse, Distinguished Senators:

I would like to thank you for the opportunity to testify today on this important topic.

Because our court system is built on certain fundamental principles—including trial by jury, the government's burden of proof in criminal matters, and the right to confront one's accusers—courts both civil and criminal have been at the center of revelations of great consequences to our republic and its national security.

Examples include the Chamber-Hiss case and its famous "Pumpkin Papers" exposing the role of the Communist Party of the United States in Soviet espionage, or the trials surrounding the 1957 Apalachin, New York raid, which convinced federal law enforcement of the existence of the American Mafia. To these we must add United States v. Holy Land Foundation for Relief and Development, prosecuted almost two decades ago, which exposed the existence and extensive reach of the Muslim Brotherhood in America since its arrival in 1962.[1]

The evidence submitted during that trial demonstrated that not only was the Muslim Brotherhood operating in America, but that the Brotherhood played a singularly important role in providing indoctrination, financing, and political protection for jihadist terror.

Founded in Egypt by Hassan Al-Banna in 1928, from its very beginning the Muslim Brotherhood operated as a clandestine organization, which engaged in the creation of

[1] While individual Muslim Brothers operated in the United States prior to this date, in the 1960s a North American Brotherhood structure was developed, centered around the founding of the Muslim Students Association (MSA), which served as a front for Muslim Brotherhood organizing and recruited cadre from which future Brotherhood fronts would be created. Zeid Al-Noman, "Ikhwan in America," n.d., pp. 2–4, entered into evidence as Government Exhibit "Elbarasse Search 2," U.S. v. Holy Land Foundation for Relief and Development et al., accessed from Ikhwan in America: The Oral History of the Muslim Brotherhood in its own words (Center for Security Policy Press, 2016), https://centerforsecuritypolicy.org/wp-content/uploads/2016/04/Ikhwan_in_America_20160418.pdf

public front groups, cultivated agents of influence, sought control over religious institutions, engaged in acts of political subversion, and created deniable sub-organizations devoted to terrorism, in pursuit of its ultimate goal, the overthrow of governments and the reestablishment of a worldwide caliphate operating under Islamic law, known as Sharia.[2]

It is worth recalling that the government demonstrated that the U.S. Muslim Brotherhood, like all Brotherhood branches worldwide, created and funded Hamas support networks—known as Palestine Committees—at the direction of the International Muslim Brotherhood beginning in 1983.[3]

In 2018, the U.S. government designated the Hasm Movement and Revolution Brigade (Liwa Al-Thawra), two Brotherhood-created terror groups founded to fight the Egyptian government. So this policy of forming and spinning off terror groups has remained fundamental to who the Brotherhood is to the present day.

The most infamous Palestine Committee organization in the United States is the Council on American-Islamic Relations (CAIR).[4] So significant was CAIR's formation as an organ for political and media relations, its creation and bylaws received explicit approval by the Muslim Brotherhood leadership in Egypt.[5]

HLF documents, and related cases, reveal that at one time one in every four American mosques were under the influence of the Hamas-linked North American Islamic Trust

---

[2] For more on the early formation of the Muslim Brotherhood, see Richard P. Mitchell, The Society of the Muslim Brothers (Oxford University Press, 1969). Particularly worthy of note is the formation of the "secret apparatus" in 1942 (p. 30), and its participation in organizing its "Battalions" to fight against Israel in the Palestine War in 1948 (p. 57).

[3] "With the growth of the blessed Intifada and the spread of the spirit of Jihad amidst the children of Palestine and the nation, it became incumbent upon the remainder of the Ikhwan branches to play a role in attributing this Intifada and this Islamic action to Palestine. Therefore, a resolution was issued by the Guidance Office and the Shura Council of the International Movement to form 'Palestine Committees' in all the Arab, the Islamic and the Western nations whose job is to make the Palestinian cause victorious and to support it with what it needs of media, money, men and all of that." Islamic Action for Palestine: An Internal Memo (October 1992), p. 11, entered into evidence as Government Exhibit "Elbarasse Search 5," U.S. v. Holy Land Foundation for Relief and Development et al.

[4] "Meeting Agenda of the Palestine Committee 7/30/1994" pg. 1, entered into evidence as Government Exhibit "Elbarasse Search 19," U.S. v. HLF et al.

[5] "FD-302 Interview with [Redacted] under Proffer agreement," January 6, 2005, pg. 6, accessed at Investigative Project on Terrorism, https://www.investigativeproject.org/documents/misc/847.pdf#page=6

(NAIT).[6] Muslim Brotherhood members—including some later convicted of terrorism charges such as Sami Al-Arian[7] and Abduraham Alamoudi[8]—regularly attempted to influence leaders of both American political parties. Organizations affiliated with the Muslim Brotherhood recruited and trained chaplains for American prisons and the American military.[9] Brotherhood organizations operated on nearly every college campus in the United States, regularly recruiting young American Muslims and leading them to commit terrorist violence.[10] The Brotherhood ran camps where individual members were trained to wage Jihad, and organized "special work," the preferred Brotherhood euphemism for violence.[11]

In short, the issue of the U.S. Muslim Brotherhood was and is not merely a counterterrorism issue, but also a systemic counterintelligence challenge, and even more broadly, a challenge to the fabric of the United States and its ability to seek assimilation and social cohesion.

---

[6] Stephen Schwartz, "Wahhabism and Islam in the United States" (testimony before the U.S. Senate Subcommittee on Terrorism, Technology and Homeland Security, June 26, 2003), https://www.judiciary.senate.gov/imo/media/doc/Schwartz%20Testimony%20062603.pdf

[7] U.S. Department of Justice, "Sami Al-Arian Sentenced to 57 Months in Prison for Assisting Terrorist Group" (press release, May 1, 2006), https://www.justice.gov/archive/opa/pr/2006/May/06_crm_260.html

[8] U.S. Department of Justice, "Abdurahman Alamoudi Sentenced to Jail in Terrorism Financing Case" (press release, October 15, 2004), https://www.justice.gov/archive/opa/pr/2004/October/04_crm_698.htm

[9] J. Michael Waller, "Testimony" (Testimony before the Subcommittee on Terrorism, Technology and Homeland Security, Senate Committee on the Judiciary, October 14, 2003), https://www.judiciary.senate.gov/imo/media/doc/waller_testimony_10_14_03.pdf

[10] Patrick Poole, "The Muslim Student Association's Terror Problem," PJ Media, August 10, 2010, https://pjmedia.com/patrickpoole/2010/08/20/the-muslim-student-associations-terror-problem-n12923

[11] "The Brotherhood has always supported its members in fighting legitimate jihad in their home countries but would never support that activity after it became illegal in the United States. [Redacted] denied that he trained or had interest in explosives. When shown Exhibit 4B, [Redacted] admitted that it was a Brotherhood document that listed him having an interest in explosives, but [Redacted] does not know who wrote it or why." FD-302 Interview with [Redacted] under Proffer Agreement. See also Ikhwan in America: The Oral History of the Muslim Brotherhood in its own words (Center for Security Policy Press, 2016), pp. 11–12, https://centerforsecuritypolicy.org/wp-content/uploads/2016/04/Ikhwan_in_America_20160418.pdf

The United States Government achieved an unparalleled intelligence coup, yet almost none of this information was put to substantive further use. HLF would be the last domestic Muslim Brotherhood charity designated by the U.S. Treasury Department.[12]

There were no further prosecutions for material support against American Muslim Brotherhood figures. It was the equivalent of cracking the Enigma code in 1939 and then never decoding another Nazi message.

In 2008, the U.S. government had in its possession the name and rank of most leading Muslim Brotherhood members in the United States.[13] I would encourage the senators to demand, in an appropriate classified setting, that U.S. intelligence deliver the same levels of insight into U.S. Brotherhood operations today.

Since 2009, the federal government's disinterest in the challenge of the Muslim Brotherhood has largely been answered by private efforts. These have included educational efforts but also legislative and judicial responses. More than half a dozen state legislatures have passed resolutions condemning CAIR's links to terrorism. Two states, Florida and Texas, have publicly declared the group as a terrorist organization. Some state attorneys general are currently pursuing investigations into Muslim Brotherhood-linked entities.

There have been efforts in federal court to enforce federal court judgments against elements of the Palestine Committee (Boim v. IAP, Boim v. AMP), as well as lawsuits seeking to expose the role of foreign funding in supporting CAIR (Saroya v. CAIR). Unfortunately, in multiple examples, these Brotherhood-linked affiliates have successfully utilized a variety of lawfare tactics, including in some cases refusal to comply with legal discovery, in order to avoid exposure.

I would be remiss if I did not add the positive decision by the U.S. Treasury and U.S. State Department to designate the Lebanese, Egyptian, Jordanian, and Sudanese Muslim Brotherhood branches. The recent decision to designate the deputy secretary of the International Muslim Brotherhood is also a welcome development.

---

[12] Eli Lake, "U.S. Stopped Blacklisting Domestic Terror Charities Under Obama," Bloomberg News, May 12, 2016, https://www.bloomberg.com/opinion/articles/2016-05-12/u-s-stopped-blacklisting-domestic-terror-charities-under-obama

[13] See "1991 Phone Directory," entered into evidence as Government Exhibit 003-003479, U.S. v. Holy Land Foundation for Relief and Development et al.; attached as Appendix 1 and "1992 Phone Directory," entered into evidence as Government Exhibit 003-0079, U.S. v. Holy Land Foundation for Relief and Development et al.; attached as Appendix 2.

I will note, however, that an approach which treats Muslim Brotherhood branches as fundamentally independent is one based on expediency and runs counter to the available public evidence, both as presented in the HLF case and also as written in the Brotherhood's by-laws openly stated as recently as 2011.[14]

Critics will claim that the data derived from the HLF case and related cases are decades old. This is true, but misleading. When studying clandestine networks, one must realize that they are established over many decades, as trained cadre move through positions of trust in the network's various fronts. Such individuals are not easily replaced, and regularly reappear.[15] A historic snapshot of such a network and the players in it, far from being irrelevant, is a crucial piece of the puzzle, prized by both intelligence practitioners and historians.

Consider, for example, Gaddour Saidi, who served on the U.S. Muslim Brotherhood Executive Office in 1992, and served as Vice President of the American Libyan Council at the time that organization lobbied for U.S. intervention in the Libyan Civil War in 2011. Or Talal Sunbulli, a U.S. Muslim Brotherhood Shura Council member in 1992, served as president of the Syrian American Council, which played an outsized role in U.S. policy as it related to supporting the Syrian rebels. Or Hani Saqr, listed as Masul (chief) of East America, who served as president of the Egyptian Americans for Democracy and Human Rights in 2013. And while some Muslim Brotherhood leaders have passed on, their roles may be taken up by their children or grandchildren, as in the case of late seminal Brotherhood figures Muhammad Al-Hanooti[16], Jamal Barzinji[17] and Taha Jabir Al-Alwani, and the front organizations they built and developed continue to operate.[18]

---

[14] See also "By-laws of the International Muslim Brotherhood," Article 50. Attached as Appendix 3.

[15] As Palestine Committee member and CAIR founder Omar Ahmad said, "Registering an organization is easy. I can register 100 organizations in 100 cities in one day… go-ahead start a new organization but you won't be able to find new faces. Do we have hidden faces we now bring up to light? We have what we have." From Government Exhibit Philly Meeting 7, U.S. v. Holy Land Foundation for Relief and Development et al.

[16] Kyle Shideler, "Major U.S. Muslim Brotherhood Leader Mohammed Al-Hanooti Dies," Center for Security Policy, June 5, 2015, https://centerforsecuritypolicy.org/major-u-s-muslim-brotherhood-leader-mohammed-al-hanooti-dies/

[17] Kyle Shideler, "Major U.S. MB Leader Jamal Barzinji Passes Away," Center for Security Policy, September 28, 2015, https://centerforsecuritypolicy.org/major-u-s-mb-leader-jamal-barzinji-passes-away/

[18] Kyle Shideler, "Influential Muslim Brotherhood Leader Taha Jabir Al-Alwani Passes Away," Center for Security Policy, March 8, 2016, https://centerforsecuritypolicy.org/influential-muslim-brotherhood-leader-taha-jabir-al-alwani-passes-away/

In conclusion, those who insist that the Brotherhood is a leopard that has somehow changed its spots are the ones who should be required to meet the burden of proof.

Because the U.S. government has already proved what the Muslim Brotherhood is, beyond a reasonable doubt.

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CAIR-FOUNDATION, INC. and
CAIR FLORIDA, INC.,

Plaintiffs,

v.

Case No. 4:26-cv-521-MW/MAF

RON DESANTIS, *et al.*,

Defendants.
_____/

PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

Plaintiffs—U.S. civil rights organizations engaged in First Amendment-protected speech, advocacy, and association—are in imminent danger of being forced to completely shut down operations in Florida, absent this Court's intervention. On September 29, 2026, the Governor and Cabinet voted to approve Plaintiffs' designations as "domestic terrorist organizations" under a new Florida law, HB 1471. The Chief of Domestic Security, Larry Keefe, will publish those designations in the Florida Administrative Register on October 6. Fla. Stat. § 943.03102(2)(e). Barring judicial intervention, the designations will become effective on November 5. Fla. Admin. Emergency R. 11RER26-8(3). If the designations become effective, Plaintiffs will be forced to shut their doors in Florida. The designations will immediately subject Plaintiffs to paralyzing

restrictions on their speech and association, under the threat of severe criminal penalties.[1]

Plaintiffs move the Court pursuant to Federal Rule of Civil Procedure 65 to enter a temporary restraining order and preliminary injunction to restore the status quo ante. Based on counts I, II, IV, and V in their Complaint, ECF No. 1, Plaintiffs seek the following relief:

Plaintiffs request that the Court enter a temporary restraining order and preliminary injunction directing Defendants Larry Keefe, Ron DeSantis, James Uthmeier, Blaise Ingoglia, and Wilton Simpson (together, the "State Executive Defendants") to remove the designation of Plaintiffs as "domestic terrorist organizations"; directing Defendant Keefe to rescind the publication of such designation in the Florida Administrative Register; and directing Defendant Keefe not to publish such designation on the FDLE website, pending final judgment in this suit.

In the alternative, Plaintiffs also move to temporarily restrain and preliminarily enjoin Florida's 20 state attorneys (together, "State Attorney

[1] Through this motion, Plaintiffs seek to temporarily restrain and preliminarily enjoin their designations as "domestic terrorist organizations" or "DTOs," and the enforcement of Florida Statutes §§ 617.1420, 775.30, 775.33, 775.34, 874.03 (and the related "criminal gang" provisions in Sections 823.05 and 874.04-12), and 943.03102, and Florida Department of Law Enforcement Emergency Rule 11RER26-8, insofar as they concern "DTOs" ("DTO regime").

Defendants") and the Attorney General from enforcing the DTO regime's provisions against Plaintiffs pursuant to their designations as DTOs, and from enforcing the DTO regime's provisions against third parties in connection with the designation of Plaintiffs as DTOs.[2]

[2] Given the complexity of the statutory regime, the number of constitutional issues it raises, and the exigent circumstances, Plaintiffs submit a memorandum exceeding the word limit, consistent with the modification requested and granted by this Court in *CAIR-Foundation, Inc. v. DeSantis*, No. 4:26-cv-315-MW/MJF (N.D. Fla. 2026), ECF No. 63.

TABLE OF CONTENTS

MEMORANDUM OF LAW 6

BACKGROUND 9

I. Florida's Unprecedented Designation Regime 9

A. The Designation Process 9

B. The Extreme Consequences of Designation 12

II. Florida Officials' Wrongful Designation of Plaintiffs 15

A. The First Notice of Intent 15

B. The Second Notice of Intent 16

C. The Public Meeting and the Approval of Plaintiffs' Designation 16

III. The Harm to Plaintiffs 17

LEGAL STANDARD 19

ARGUMENT 20

I. The DTO Regime and Plaintiffs' Designations Violate the Fourteenth Amendment's Guarantee of Due Process. 20

A. The DTO Regime Empowers Florida Officials To Impose Criminal Punishment Without Criminal Process. 20

1. Designation is based on a finding of criminal guilt and imposes criminal punishment. 21

2. The "process" available under the DTO regime falls far short of what the Constitution requires. 25

B. Even if the DTO Regime Does Not Constitute Criminal Punishment, It Violates U.S. Organizations' Rights to Procedural Due Process. 26

1. Designation impairs U.S. corporations' protected interests in liberty and property, including Plaintiffs'. 26

2. The procedures established by the DTO regime and temporary rule are constitutionally inadequate. 29

a. The private interests at stake are immense.....30

b. The risk of erroneous designation is intolerably high.....30

c. Providing additional procedural protections would not undermine any legitimate state interest. 35

II. The DTO Regime and Plaintiffs' Designations Violate the First Amendment. ..36

A. The DTO Regime and Plaintiffs' Designations Violate Their Freedom of Association. 36

B. The DTO Regime and Plaintiffs' Designations Impose an Unlawful Prior Restraint on Their Speech and Association. 41

1. Designation functions as a prior restraint. 41

2. The DTO regime is unlawful because it vests excessive discretion in Florida's executive branch to suppress disfavored speech and association. 43

3. The DTO regime lacks the necessary procedural safeguards.....46

C. The DTO Regime and Plaintiffs' Designations Unlawfully Punish Speech Based on its Content and Viewpoint.....49

III. Plaintiffs Satisfy the Remaining Requirements for Emergency Relief. 51

A. Designation Is Already Causing Irreparable Injury to Plaintiffs, and Absent the Court's Intervention, Plaintiffs' Injuries Will Only Become More Severe. 51

B. The Balance of Equities Favors Emergency Relief. 51

C. Requested Relief.....52

CONCLUSION 53

CERTIFICATE OF WORD COUNT.....55

CERTIFICATE OF SERVICE 56

MEMORANDUM OF LAW

A new Florida statutory scheme, created by HB 1471, grants five members of the state's executive branch the power to decree that any group in the United States is engaged in criminal activity, and to "designate" the group as a "domestic terrorist organization." Designation does much more than brand organizations, including U.S. nonprofits, with a stigmatizing and reviled label: it converts designated groups into "criminal gangs" under Florida law, transforming their ordinary, previously legal operations—including their speech—into felonies. Likewise, designation transforms ordinary, otherwise legal association with targeted groups into a minefield of criminal liability.

Under Florida's new "domestic terrorist organization" designation regime (the "DTO regime"), donating even one dollar to a designated U.S. nonprofit could result in decades in prison. The same punishment applies to anyone who, among many other things, dares to work for a designated nonprofit, rent it property, provide it financial or technology services, or give it expert advice. Once the state officials responsible for implementing this regime designate a U.S. group as a domestic terrorist organization, the only way to avoid punishment is to wholly and permanently disassociate from the group. And the only way for the group to avoid punishment is to stop operating in Florida.

Despite these criminal ramifications, designation requires shockingly little process. To designate an organization, executive officials must find that it is engaged in criminal conduct: "terrorist activity." But unlike any other criminal proceeding, designation does not require the involvement of the courts. Instead, Florida's new regime authorizes the Governor, Cabinet, and Chief of Domestic Security to make findings of criminal wrongdoing, and, through designation, to criminalize an organization's protected speech and association—with none of the protections of criminal process. There is no judge, no jury, no adversarial hearing, no rules of evidence, and no burden of proof. While a designated organization can file an "appeal" in state court, there is no guarantee of a hearing, let alone a final ruling, before state officials' designation forces an organization to close its doors in Florida. In short, the DTO regime vests excessive discretion in executive officials and is ripe for abuse.

Unless this Court intervenes, Plaintiffs—CAIR and its state chapter, CAIR-Florida—will be the first casualties of Florida's unconstitutional and unprecedented expansion of state executive authority. Plaintiffs are two U.S. nonprofits engaged in civil rights work. Their shared mission, rooted in faith, is to enhance the public's understanding of Islam, protect civil rights, promote justice, and empower American Muslims. They have pursued this mission for decades, participating in

civic society like countless other faith-based nonprofit groups. They have never been charged with, let alone convicted of, a crime.

Governor DeSantis and Florida Cabinet officials have made no secret of their animus against Plaintiffs' faith-driven mission and advocacy. Now, the Governor, Cabinet, and Chief of Domestic Security have designated Plaintiffs as "domestic terrorist organizations," effective November 5, 2026. Once effective, Plaintiffs' designations will shut down their speech and shut off their lights in Florida. As the DTO regime allows them to do, Florida officials have provided Plaintiffs with only a thin veneer of process. A seven-page "Notice of Intent," which purported to inform Plaintiffs of the alleged basis for their designation, lacks any meaningful explanation of what laws Plaintiffs have supposedly violated or how they pose a threat to public safety. The "evidence" in the notice consists of recycled allegations from a twenty-year-old prosecution of a defunct organization, and a nebulous chart of purported and attenuated associations—virtually all of them decades-old and involving others, not Plaintiffs.

Florida's new designation regime and state officials' designations of Plaintiffs violate the Constitution. They violate the Fourteenth Amendment by imposing sweeping criminal punishment without meaningful procedural protections. They violate the First Amendment by bringing Plaintiffs' protected associations to a halt, and by creating, in effect, a censorship regime that gives five

officials unbridled discretion to suppress the speech of any organization in the country. Plaintiffs respectfully request that this Court enter a temporary restraining order and preliminary injunction to restore the status quo ante.

BACKGROUND

I. Florida's Unprecedented Designation Regime

The DTO regime empowers Florida officials to designate U.S. entities as "domestic terrorist organizations" and shut down their operations in the state. The process afforded to designated organizations is woefully inadequate, and the harms of designation are devastating. Once effective, designation triggers a web of criminal prohibitions that, combined, criminalize virtually any interaction with an organization. Put simply, the DTO regime gives executive officials a dangerous tool for silencing U.S. organizations they disfavor.

A. The Designation Process

The criteria for designation are broad, and the process is cursory.[3] Florida's Chief of Domestic Security may designate an organization as a DTO if he "finds": (1) it "is based or operates" anywhere in the United States; (2) it "is engaging in terrorist activity" as defined by Florida Statutes § 775.30; and (3) that activity "is

[3] The procedural requirements for designation are governed by Florida Statutes § 943.03102 and Florida Administrative Code Emergency Rule 11RER26-8, a temporary rule that is set to expire on December 10, 2026 ("11RER26-8"). *See* Fla. Stat. § 120.54(4)(c).

an ongoing threat to the security of [Florida] or the United States." Fla. Stat. § 943.03102(1)(a)1.

"Terrorist activity" is necessarily criminal. It involves "a violent act or an act dangerous to human life which is a *violation of the criminal laws* of [Florida] or of the United States," or a *violation of the Florida Computer Crimes Act*, Fla. Stat. § 815.06, that is intended to "[i]ntimidate, injure, or coerce a civilian population," "[i]nfluence the policy of a government by intimidation or coercion," or "[a]ffect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy." Fla. Stat. § 775.30(1)(a) (emphases added).

The DTO regime does not specify any evidentiary standard the designation must satisfy. Nor does it require the Chief of Domestic Security to submit his "findings" to a neutral decisionmaker. Instead, the Chief of Domestic Security need only provide notice of his intent to designate a "domestic terrorist organization," along with "a summary of the basis for such designation," to the Governor and Florida Cabinet. Fla. Stat. § 943.03102(2)(a). After seven days, the Governor and Cabinet may approve the designation by a majority vote. Fla. Stat. § 943.03102(2)(a). To vote on the designation, the Governor and Cabinet must schedule a public meeting. 11RER26-8(1). If they approve the designation, the Chief of Domestic Security must publish it in the Florida Administrative Register within seven days. Fla. Stat. § 943.03102(2)(e). The designation becomes effective

30 days later. 11RER26-8(3). An organization has until the effective date to file a "challenge" in state circuit court. Fla. Stat. § 943.03102(2)(f).

The designated organization has no meaningful opportunity to object. If the Governor and Cabinet schedule a meeting to consider a designation, the Chief of Domestic Security must send the organization the notice of intent and "any materials relating to the notice of intent" not deemed confidential. 11RER26-8(2). The notice must state the date and time of the meeting and advise the organization that it may submit written objections to its designation within seven days. *Id.* But the organization is not entitled to argue, or even appear, at the meeting. 11RER26-8(2)(b). Rather, whether the organization can "appear at the meeting and present argument" is within the Governor and Cabinet's "sole discretion." *Id.*

The post-designation process is similarly anemic. As noted, an organization may "challenge" its designation 30 days after it is published. Fla. Stat. § 943.03102(2)(f). It may also "petition" the Florida Department of Law Enforcement ("FDLE") to remove a designation. *Id.* § 943.03102(3)(a). But the DTO regime does not specify the standard of review, burden of proof, or applicable procedural and evidentiary rules. Nor does it mandate that the challenging organization be given a hearing, that any post-vote challenge be resolved before the designation becomes effective, or that the state's "evidence" (if any) be shared with the designated organization.

B. The Extreme Consequences of Designation

Designation under the DTO regime inflicts severe consequences. Once an organization's designation is effective, the organization—and anyone who interacts with it—is subject to a kaleidoscope of criminal and civil liabilities for otherwise lawful, constitutionally protected activity. The prohibitions are so sweeping, and the penalties so severe, that a designated organization cannot continue operating in Florida in any meaningful sense. Designation fundamentally *changes the legal status* of protected speech and association—triggering debilitating liabilities for designated groups and those who associate with them.

For example, the DTO regime makes it a felony, punishable by up to 30 years' imprisonment, to knowingly provide a designated DTO with "material support." Fla. Stat. § 775.33(3). The term "material support" is broad. It includes "any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance . . . facilities . . . personnel, or transportation." *Id.* § 775.33(1)(d). It prohibits anyone from working for the organization and serving under its "direction and control," and makes it a crime to "[o]rganize, manage, supervise, or otherwise direct" the organization's "operations." *Id.* § 775.33(5)(a).

The DTO regime also classifies designated organizations as "criminal gangs" under the Criminal Gang Prevention Act ("CGPA"), triggering sweeping criminal

prohibitions. Fla. Stat. § 874.03. For instance, under the CGPA, it is a felony, punishable by up to life in prison, if "[a]ny person . . . knowingly initiates, organizes, plans, finances, directs, manages, or supervises" activity intended to "benefit, promote, or further the interests" of a designated organization. *Id.* §§ 874.10, 874.03(4)(a). This prohibition forbids essentially any action taken to further the designated organization's interests, including actions taken by the organization itself.[4]

Emergency Rule 11RER26-8, which expires on December 10, 2026, purports to create two limited exceptions to criminal liability under the material-support law and CGPA. It states that FDLE "will not consider there to be cause for prosecution" under either the material support statute or CGPA (1) "based solely on membership in" a DTO, or (2) "based solely on the provision of legal counsel or legal support services to the [DTO] for purposes of representing or providing advice in connection with existing or anticipated litigation concerning a designation or defending against a criminal prosecution." 11RER26-8(4)-(5). But the "membership" exception is irrelevant to organizations that are not membership-based (like Plaintiffs), and it does not protect Plaintiffs' relationships with their

[4] Under Florida law, "[t]he word 'person' includes . . . corporations." Fla. Stat. § 1.01(3). Thus, Plaintiffs will be subject to felony charges under Section 874.10 for initiating any activity to further their faith-driven civil rights mission. Plaintiffs will also be subject to felony charges under Section 775.33 for providing material support to each other in any form.

employees, board members, and donors, who are necessary for the organization to operate. The legal support exception, meanwhile, is narrow: FDLE exempts only those who seek to provide legal support services to the organization in challenging its designation or in criminal proceedings; it does not exempt Plaintiffs themselves. 11RER26-8(5).

Designation imposes numerous additional penalties. Once designated, the state may immediately seize all "proceeds" and "instrumentalities" of activity intended to further the interests of the organization. Fla. Stat. § 874.08. Designated organizations, as statutory "criminal gangs," are considered a per se "public nuisance" and are subject to immediate abatement and enjoinment—including in suits by members of the public. *Id.* § 823.05(2). These are only *some* of the consequences of designation. *See, e.g.*, *id.* §§ 775.34, 874.06(1), (2)(b), 943.03102(4)(a); *see also, e.g.*, *id.* §§ 1002.421(1)(t), 1003.035.

For nonprofit advocacy organizations like Plaintiffs, these consequences are debilitating. A nonprofit cannot operate if all of its employees, vendors, contractors, volunteers, or donors can be prosecuted and sentenced to life in prison merely for providing it a service or initiating any activity that would further its interests. In short, these penalties make it impossible for a designated organization to operate within Florida.

II. Florida Officials' Wrongful Designation of Plaintiffs

A. The First Notice of Intent

On July 1, 2026, Governor DeSantis announced that he had received a notice of intent to designate CAIR as a "terrorist organization[]" under the DTO regime. Carlo-Gonzalez Decl., Exs. A, B at 2:00-16, C.[5] Governor DeSantis confirmed that he and the Cabinet intended to "ratify" the designation "very, very quickly." Ex. B at 1:30-2:00, 8:52-9:14. He further explained that the designation of CAIR was an express continuation and "reaffirmation" of his December 2025 Executive Order 25-244, which has since been preliminarily enjoined. *Id.* at 2:00-26; *see CAIR-Found., Inc. v. DeSantis*, 822 F. Supp. 3d 1263, 1279, 1282 (N.D. Fla. Mar. 4, 2026) ("*CAIR I*").

Plaintiffs filed suit the same day and moved to enjoin Governor DeSantis and the Cabinet from voting on Plaintiffs' designation. *CAIR-Found., Inc. v. DeSantis*, No. 4:26-cv-315-MW/MJF (N.D. Fla. 2026) ("*CAIR II*"), ECF Nos. 1, 19. Shortly after the Court denied Plaintiffs' motions, *CAIR II*, ECF Nos. 26, 28, Defendants informed Plaintiffs that they intended to promulgate an emergency rule regarding the DTO regime and would move forward with the designation process

[5] All references to "Ex." refer to the exhibits attached to the Declaration of Celin Carlo-Gonzalez filed with this motion.

once the rule was issued, *CAIR II*, ECF No. 33 at 2. Two months later, on September 11, 2026, Defendants promulgated 11RER26-8.

B. The Second Notice of Intent

On September 15, 2026, counsel for Defendants informed Plaintiffs that then-Chief of Domestic Security and FDLE Commissioner Mark Glass had issued a new Notice of Intent to designate Plaintiffs as "domestic terrorist organizations."[6] *CAIR II*, ECF No. 62 at 1. Defendants served the Notice on Plaintiffs on September 18. The Notice directed Plaintiffs to submit written objections and scheduled a public meeting to consider Plaintiffs' designation for September 29, 2026 at 9:00 a.m. Ex. D. Plaintiffs submitted written objections to their designation on September 25. Ex. E.

C. The Public Meeting and the Approval of Plaintiffs' Designation

Governor DeSantis and the Cabinet approved Plaintiffs' designation at the Cabinet meeting on September 29. Ex. F at 13:40-14:10. Their "consideration" of Plaintiffs' designation involved then-Commissioner Glass speaking for approximately 20 seconds to assert that designations satisfied the criteria under Florida Statutes § 943.03102, without explaining how. Governor DeSantis immediately moved to approve the designations without any explanation or

[6] Glass has since been replaced by Larry Keefe, who was appointed as the FDLE Commissioner and Chief of Domestic Security on September 29, 2026.

discussion of Cabinet members' consideration of evidence, reasoning, findings, or law. *Id.* The entire process took about 30 seconds. *Id.*; Declaration of Nicholas Warren ("Warren Decl.") ¶ 6.

During the meeting, Governor DeSantis and the Cabinet refused to hear Plaintiffs' counsel. Before the meeting began, Plaintiffs' counsel identified herself to a Cabinet aide and requested the opportunity to speak at the meeting on behalf of Plaintiffs. Warren Decl. ¶ 3. Although the aide said that she or another person would follow up with Plaintiffs' counsel, no one did. *Id.* During the meeting, after Commissioner Glass finished speaking, and as Governor DeSantis began to move to approve the designations, Plaintiffs' counsel stood and again asked to speak on behalf of CAIR and CAIR-Florida. *Id.* ¶¶ 4-5. Governor DeSantis ignored counsel and proceeded with approving the designations. *Id.* ¶ 5.

III. The Harm to Plaintiffs

Plaintiffs have already suffered, and will continue to suffer, severe harm as a result of being targeted under HB 1471. Plaintiffs engage in protected speech and advocacy in Florida, including by litigating in state and federal court and engaging in public policy advocacy, training, education, community organizing, interfaith commentary, and public commentary directed at federal, state and local executive and legislative government officials and the public. Declaration of Edward Mitchell ("Mitchell Decl.") ¶¶ 8-28; Declaration of Wilfredo Ruiz ("Ruiz Decl.") ¶¶ 7-35;

Declaration of Maryam Hasan ("Hasan Decl.") ¶ 2. They do this to advance their missions and promote religious tolerance and understanding, cultural education, civil rights, and public policy that protects and enhances the equal treatment of Muslims in the United States. Mitchell Decl. ¶ 2; Ruiz Decl. ¶ 2.

The looming threat of their effective designations has already caused Plaintiffs harm. For example, CAIR-Florida has had to turn away prospective legal clients and indefinitely postpone its annual fundraising galas, which were scheduled for this fall. Ruiz Decl. ¶¶ 57-58, 60-61. CAIR had to switch information-technology network services after the Florida-based company it used terminated its contract with CAIR in early July 2026. Mitchell Decl. ¶ 41. These harms have diverted resources from Plaintiffs' First Amendment-protected advocacy work. Mitchell Decl. ¶¶ 36-39, 41-42; Ruiz Decl. ¶¶ 54-56. Plaintiffs also now must spend time winding down operations and diverting resources from other First Amendment-protected activity they might have engaged in. Mitchell Decl. ¶¶ 50, 58; Ruiz Decl. ¶ 56.

The designation of Plaintiffs as "domestic terrorist organizations" and the publication of that designation in the Florida Administrative Register and on the Florida Department of Law Enforcement website is harshly stigmatizing to Plaintiffs. It will undermine their trust and credibility with donors, volunteers, and other supporters. Mitchell Decl. ¶ 51; Ruiz Decl. ¶ 65.

Absent this Court's intervention, when Plaintiffs' designations become effective on November 5, they will be forced to cease all operations and advocacy in Florida. For example, they will cease hosting Florida-based events and engaging staff or volunteers to conduct on-the-ground research at Florida universities. Mitchell Decl. ¶¶ 52-56; Ruiz Decl. ¶¶ 69-76, 86-87; *see* Hasan Decl. ¶¶ 3-5. CAIR will place its Florida-based employees on administrative leave, suspend a key contractor and volunteer, and advise its Florida-based board members to recuse themselves from board functions and activities. Mitchell Decl. ¶¶ 59-67. CAIR-Florida will have no choice but to take even more drastic measures: it will fully suspend its operations. Ruiz Decl. ¶¶ 5-6, 51.

LEGAL STANDARD

A temporary restraining order or preliminary injunction is appropriate when: (1) the movant is substantially likely to succeed on the merits, (2) the relief sought is necessary to prevent irreparable injury, (3) the movant's threatened injury outweighs the harm that the relief would cause the non-movant, and (4) the relief sought "would not be averse to the public interest." *Parker v. State Bd. of Pardons & Paroles*, 275 F.3d 1032, 1034-35 (11th Cir. 2001). Plaintiffs satisfy all four factors.

ARGUMENT

I. The DTO Regime and Plaintiffs' Designations Violate the Fourteenth Amendment's Guarantee of Due Process.

A. The DTO Regime Empowers Florida Officials To Impose Criminal Punishment Without Criminal Process.

The Constitution is clear: a state may not impose criminal punishment without satisfying the procedural requirements of the criminal process. Indeed, no constitutional principle is more "axiomatic and elementary" than that the state must presume all persons innocent until proven guilty beyond a reasonable doubt in a court of law. *Coffin v. United States*, 156 U.S. 432, 453 (1895). This fundamental precept arises from the Fifth and Fourteenth Amendment right to due process, *In re Winship*, 397 U.S. 358, 363 (1970), and the Sixth Amendment "right to a speedy and public trial, by an impartial jury," *Erlinger v. United States*, 602 U.S. 821, 830 (2024). And it reflects the constitutional judgment "that every individual going about his ordinary affairs [should] have confidence that his government cannot adjudge him guilty of a criminal offense without convincing a proper factfinder of his guilt with utmost certainty." *In re Winship*, 397 U.S. at 364.

Designation is criminal adjudication by another name. It bears all the hallmarks of criminal adjudication save one: criminal process. It gives five executive officers—the Governor, the three Florida Cabinet members, and the Chief of Domestic Security—power to accuse an organization of engaging in

criminal conduct, deem it guilty, and then punish it as a result. But no law can authorize an executive body to serve as judge, jury, and executioner.

1. Designation is based on a finding of criminal guilt and imposes criminal punishment.

The Florida legislature has made clear that designation is undoubtedly criminal in nature. In determining whether a punishment is criminal, "[a] court must first ask whether the legislature, in establishing the penalizing mechanism, indicated either expressly or impliedly a preference for one label or the other." *Hudson v. United States*, 522 U.S. 93, 99 (1997) (citation modified). The DTO regime's text and structure admit of no other interpretation.

Before designating an organization, the Governor, Cabinet, and Chief of Domestic Security must find that it is actively engaging in "terrorist activity." Fla. Stat. § 943.03102(1)(a)1-b. And "terrorist activity" is, by definition, criminal conduct. Fla. Stat. § 775.30(1)(a)1 (defining necessary element of "terrorist activity" as "[a] violent act or an act dangerous to human life which is *a violation of the criminal laws* of [Florida] or of the United States," or "[a] violation of § 815.06," a criminal statute (emphasis added)). The DTO regime thus was designed to apply exclusively to organizations that state officers decide are engaged in criminal activity.

If that were not clear enough, the DTO regime amended the CGPA to ensure that designated organizations are deemed "criminal gangs" within the meaning of

the statute. Fla. Stat. § 874.03(1) (defining a "[c]riminal gang" to include "terrorist organizations"); *id.* § 874.03(8) (defining "[t]errorist organization[s]" to include any "domestic terrorist organization" designated under the DTO regime). The CGPA is expressly criminal. It was enacted "to outlaw certain conduct associated with the existence and proliferation of criminal gangs" and "provide enhanced criminal penalties" for criminal gangs." *Id.* § 874.02(3). By declaring designated organizations to be criminal gangs, subject to the CGPA's many criminal penalties, the DTO regime makes plain that designation is inherently criminal. Indeed, the legislature placed the new designation statute within Title XLVII of the Florida statutory code, titled "Criminal Procedure and Corrections." Fla. Stat. § 943.03102.

Designation also imposes punishment that is clearly criminal. It triggers a dizzying array of unavoidable and debilitating criminal penalties for a designated organization, its employees, and those associated with it, based merely on the fact of designation. *See, e.g.*, Fla. Stat. §§ 775.33-34, 874.03(1), (4) (defining "criminal gang-related activity"), 874.10 (prohibiting initiation of "activity" intended to further DTO's interests). A corporation can act only through its employees, but a designated organization's employees are criminally prohibited from working on its behalf. And giving even a dollar to a designated organization, or offering to volunteer at an event hosted by it, could result in 30 years in prison. Fla. Stat. § 775.33(3). In short, the DTO regime makes it a crime for a designated

organization to continue functioning in Florida—and the sweep and severity of these penalties necessarily require an organization to shut its doors.

The DTO regime deliberately supplants the ordinary criminal process. Before the DTO regime was enacted, if the state wished to punish an organization for engaging in terrorist activity, it had to file criminal charges and prove beyond a reasonable doubt that the organization engaged in terrorist activity. Fla. Stat. §§ 775.30-31 (2025). But now, the state can cut off a U.S. organization's employees, board members, volunteers, and donors under the "material support" statute, Fla. Stat. § 775.33—without proving *anything* to a court about the organization itself, other than the fact of designation. Similarly, before the DTO regime, if the state wanted to treat an organization as a "terrorist organization" and criminal gang under the CGPA, it had to prove at trial beyond a reasonable doubt that the organization was "engaged in or organized for the purpose of engaging in terrorism as defined in § 775.30." Fla. Stat. § 874.03(7) (2025). But now, DTOs are "criminal gangs" by definition. As a result, they and any other person face felony liability simply for, e.g., initiating activity in furtherance of their interests, Fla. Stat. § 874.10—and the state need not prove *anything* about the organization, other than the fact of designation.

But the legislature cannot bypass the requirements of the criminal process simply by "choosing to route criminal prosecutions through executive" bodies.

SEC v. Jarkesy, 603 U.S. 109, 162 n.2 (2024) (Gorsuch, J., concurring). Indeed, the Supreme Court has long recognized that "[i]t is not consistent with the theory of our government that the legislature should, after having defined an offense as an infamous crime, find the fact of guilt, and adjudge the punishment by one of its own agents." *Wong Wing v. United States*, 163 U.S. 228, 237 (1896); *see also In re Winship*, 397 U.S. at 365-66 (rejecting "civil labels and good intentions" and applying reasonable doubt standard to juvenile proceedings "where the issue is whether the child will be found to be 'delinquent,'"—i.e., to have engaged in conduct that, if the juvenile were an adult, would be a crime).

Nor may the legislature delegate authority to make criminal determinations to an executive or administrative body. Determinations of guilt must be made in the context of a criminal trial pursuant to a guilty verdict. *See Apprendi v. New Jersey*, 530 U.S. 466, 483-84 (2000) ("[P]ractice must at least adhere to the basic principles undergirding the requirements of trying to a jury all facts necessary to constitute a statutory offense, and proving those facts beyond reasonable doubt."). The legislature cannot circumvent this requirement by enacting a scheme that wholly removes the court and jury from the fact-finding process and replaces it with executive officers. *See id.* at 482-83; *Lipke v. Lederer*, 259 U.S. 557, 562 (1922) ("And certainly we cannot conclude . . . that Congress intended that penalties for crime should be enforced through the secret findings and summary

action of executive officers."). As the Supreme Court has confirmed, "[t]he guaranties of due process of law and trial by jury are not [to] be forgotten or disregarded," *Lipke*, 259 U.S. at 562—or evaded by delegation.

2. The "process" available under the DTO regime falls far short of what the Constitution requires.

Despite imposing criminal punishment, the DTO regime provides none of the protections afforded to criminal defendants. Designation does not require the state to prove its accusations beyond a reasonable doubt, and the Notice of Intent does not even attempt to meet that standard. Ex. D. Nor does the DTO regime incorporate other constitutionally required protections, such as the right to confront and cross-examine witnesses. *See Crawford v. Washington*, 541 U.S. 36, 57 (2004); *see also Brady v. Maryland*, 373 U.S. 83, 87 (1963) (due process requires disclosure of exculpatory evidence before trial).

Plaintiffs received none of these protections. Instead, Commissioner Glass issued a Notice of Intent that failed to identify what law he claims CAIR has violated, what conduct he claims constitutes "terrorist activity," or how either CAIR or CAIR-Florida currently poses a threat to public safety. Ex. D. At the public meeting to vote on the designation, the Governor and Cabinet denied Plaintiffs an opportunity to be heard. Warren Decl. ¶¶ 4-5. Rather than give Plaintiffs their day in court and the opportunity to defend themselves against the odious and baseless allegations asserted against them, Governor DeSantis, the

Cabinet, and Commissioner Glass have used the DTO regime to criminally punish Plaintiffs while denying them any semblance of criminal process.

B. Even if the DTO Regime Does Not Constitute Criminal Punishment, It Violates U.S. Organizations' Rights to Procedural Due Process.

Even if the DTO regime did not unconstitutionally permit state officials to make findings of criminal wrongdoing and impose criminal consequences outside the criminal process (it does), it would still violate the due process component of the Fourteenth Amendment as applied to U.S. corporations, including Plaintiffs. That is because the DTO regime permits state officials to deprive U.S. corporations, like Plaintiffs, of constitutionally protected interests in "life, liberty, or property," while affording them "inadequate state process." *Reed v. Goertz*, 598 U.S. 230, 236 (2023); *see also Howard v. Coonrod*, 134 F.4th 1136, 1149 (11th Cir. 2025). Indeed, the procedures established by the DTO regime are plainly designed not to meaningfully test the State Executive Defendants' accusations, but to ratify them.

1. Designation impairs U.S. corporations' protected interests in liberty and property, including Plaintiffs'.

Designation impairs U.S. corporations' constitutionally protected interests in at least three ways:

First, designation infringes U.S. corporations' right to speak, associate, and petition the government for redress. *See First Nat'l Bank of Bos. v. Bellotti*, 435 U.S. 765, 780 (1978) ("Freedom of speech and the other freedoms encompassed by

the First Amendment always have been viewed as fundamental components of the liberty safeguarded by the Due Process Clause."); *Benning v. Comm'r, Ga. Dep't of Corr.*, 71 F.4th 1324, 1330 (11th Cir. 2023) (recognizing "protected liberty interest, grounded in the First Amendment"). As explained above, designation prohibits an organization from initiating, directing, organizing, or supervising any activity intended to further its own interests. Fla. Stat. § 874.10. By definition, then, a designated nonprofit corporation engaged in advocacy to further its mission commits a crime. So does anyone who works for, donates to, or otherwise supports the organization. Plainly, these criminal prohibitions coerce others to disassociate from designated corporations, impairing the corporations' First Amendment rights. *See NRA v. Vullo*, 602 U.S. 175, 190 (2024) ("A government official cannot coerce a private party to punish or suppress disfavored speech on her behalf."); *see* Section II, *infra*.

Second, once effective, designation impairs the most basic functions of U.S. corporations' existence—including their ability to act through their employees, use their own assets, and obtain essential services.[7] No corporation can meaningfully operate under such conditions. For Plaintiffs, the overlapping criminal prohibitions

[7] On its face, the ban on providing "services" to designated organizations encompasses banks, phone companies, internet service providers, retirement account administrators, financial advisors, and lawyers who would advise Plaintiffs on non-litigation matters or in civil proceedings unrelated to their designation.

that will apply to them as soon as their designations become effective will prevent or curtail their exercise of the corporate powers conferred on them by state law. *See* Fla. Stat.§ 617.0302 (listing corporate powers, including rights to sue and appear and defend legal actions, enter into contracts, conduct affairs, and make donations); D.C. Code § 29-403.02 (listing similar corporate powers applicable to CAIR under D.C. law).

Third, designation as a "domestic terrorist organization" causes severe reputational harm. Mitchell Decl. ¶ 57; Ruiz Decl. ¶ 65. *See Latif v. Holder*, 28 F. Supp. 3d 1134, 1150 (D. Or. 2014) (placement of U.S. persons on terrorism watchlist "carries with it the stigma of being a suspected terrorist"); *cf. United States v. Briggs*, 514 F.2d 794, 799 (5th Cir. 1975) ("The government defies common sense with its theory that one's interests are not adversely affected to any extent by being publicly branded as a felon so long as he is not named as a defendant for trial."); *see also Paul v. Davis*, 424 U.S. 693, 708 (1976) ("Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential." (citation omitted)).

Together, these consequences are guaranteed "to cripple the functioning and damage the reputation[s] of" designated U.S. corporations, including Plaintiffs, "in their respective communities and in the nation." *Joint Anti-Fascist Refugee Comm.*

v. McGrath, 341 U.S. 123, 139 (1951); *see also Bd. of Regents of State Colls. v. Roth*, 408 U.S. 564, 572 (1972) ("Without doubt," the term "liberty" "denotes not merely freedom from bodily restraint but also the right of the individual to contract, [and] to engage in any of the common occupations of life." (quotation omitted)); *N. Ga. Finishing, Inc. v. Di-Chem, Inc.*, 419 U.S. 601, 606 (1975) (impoundment of corporation's bank account "without notice or opportunity for an early hearing and without participation by a judicial officer" violated procedural due process).

2. The procedures established by the DTO regime and temporary rule are constitutionally inadequate.

"The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner." *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (citation omitted). To determine whether the state's deprivation of a protected interest violates this fundamental requirement, courts weigh three factors: (1) "the private interest that will be affected by the official action"; (2) "the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards"; and (3) "the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail." *Id.* at 335.

All three factors decisively favor Plaintiffs.

a. The private interests at stake are immense.

There is no question that designation implicates interests of the highest order. Plaintiffs are a case in point. On the basis of unproven accusations, the State Executive Defendants have wrongly designated Plaintiffs as "domestic terrorist organizations." Under Florida law, that designation makes Plaintiffs, by definition, "criminal gangs." And not just any criminal gangs, but criminal gangs engaged in "terrorist activity"—one of the most heinous and reviled forms of criminality. Of course, Plaintiffs are not criminal gangs, are not engaged in terrorist activity, and have never been charged with, or convicted of, any crime. But because they have been designated as DTOs, that does not matter: under the DTO regime, the State Executive Defendants' unproven accusations will subject Plaintiffs to onerous criminal prohibitions that will grievously impair Plaintiffs' operations. These accusations "are the practical equivalents of confiscation and death sentences"—"regardless of their truth or falsity." *Joint Anti-Fascist Refugee Comm.*, 341 U.S. at 142 (Black, J., concurring).

b. The risk of erroneous designation is intolerably high.

The procedural safeguards of the DTO regime are so feeble that erroneous designations—like Plaintiffs'—are more than a risk: they are a certainty.

First, the DTO regime enables the State Executive Defendants to "find" that U.S. corporations are engaged in "terrorist activity" in violation of state or federal

law based on opportunistically curated evidence. *See generally* Fla. Stat. § 943.03102; 11RER26-8. Relatedly, before designating a U.S. corporation, the DTO regime does not place the burden on the State Executive Defendants to make any showing before a neutral judicial officer that their evidence—such as it is—satisfies any standard of proof. *See generally* Fla. Stat. § 943.03102; 11RER26-8. Much less does the DTO regime require the State Executive Defendants to make such a showing in an adversary proceeding. *See, e.g.*, *United States v. James Daniel Good Real Prop.*, 510 U.S. 43, 55 (1993) (holding government's seizure of real property under federal "drug forfeiture statute" violated right to procedural due process when, to effect seizure, government was required only to make a showing of probable cause before a magistrate judge in a non-adversary hearing).

The result: the State Executive Defendants may, as in this case, find that U.S. corporations are engaging in terrorist activity based on stale speculation, hearsay, and innuendo, illustrated through clip art. Ex. D.

Second, the DTO regime does not require state officials either to notify U.S. corporations of the predicates for their designations or to provide them with all of the evidence—if any—underlying their designations. *See generally* Fla. Stat. § 943.03102; 11RER26-8. The Notice of Intent issued to Plaintiffs fails even to identify the criminal law that Plaintiffs have purportedly violated—much less when or how Plaintiffs violated it. Needless to say, a U.S. organization cannot

meaningfully defend itself against an accusation of criminal wrongdoing without knowing what, exactly, it is accused of. *See Greene v. McElroy*, 360 U.S. 474, 496 (1959) ("[W]here governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, the evidence used to prove the Government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue."); *Joint Anti-Fascist Refugee Comm.*, 341 U.S. at 170 (Frankfurter, J., concurring) ("[F]airness can rarely be obtained by secret, one-sided determination of facts decisive of rights.").

Third, prior to designation, the DTO regime affords U.S. corporations no opportunity either to call their own witnesses or to confront and cross-examine any witnesses against them. On this point, *Jenkins v. McKeithen*, 395 U.S. 411, 427-29 (1969), is particularly germane.[8] *Jenkins* involved Louisiana's "Labor-Management Commission of Inquiry." The Commission was a state administrative body with nine members, all appointed by the governor. *Id.* at 414-15. It was "empowered," under state law, to "find named individuals guilty of violating the criminal laws of Louisiana and the United States and to brand them as criminals in public." *Id.* at 427-28.

[8] *Jenkins* did not produce a majority opinion. Chief Justice Warren and Justice Brennan joined a plurality opinion authored by Justice Marshall. Justices Douglas and Black concurred, joining the plurality in all relevant respects. *Jenkins*, 395 U.S. at 432.

The effects of the Commission's findings were more limited than the effects of designation under the DTO regime. Notably, unlike a designation under the DTO regime, the Commission's "findings" could "not be used as prima facie or presumptive evidence of guilt or innocence in any court of law." *Id.* at 417 (citation modified); *see* Section I.A, *supra*.

Nevertheless, the Court treated "the rigorous protections relevant to criminal prosecutions" as the "controlling starting point for assessing the protection which the Commission's procedure provides," zeroing in on one: the "right to confront and cross-examine witnesses." *Id.* at 428 (citation omitted). Because the Commission was empowered to make "an actual finding that a specific individual is guilty of a crime," "due process require[d] the Commission to afford a person being investigated the right to confront and cross-examine the witnesses against him, subject only to traditional limitations on those rights." *Id.* at 429. Due process requires no less here.

Fourth, the post-designation "appeal" to state court available to U.S. corporations under the DTO regime is, itself, constitutionally inadequate.

While the temporary rule remains in place, a designated corporation may file a "challenge" in state court within the 30-day window between the designation's publication and its effective date. Fla. Stat. § 943.03102(2)(f); 11RER26-8(3). But neither the temporary rule nor the statutory scheme ensures that a designated

organization will obtain a hearing—to say nothing of a judicial ruling—before the myriad criminal consequences of designation kick in. Nor does the DTO regime ensure that, in an "appeal" to state court, the findings of the State Executive Defendants will be put meaningfully to the test: it assigns no burden of proof; does not ensure that designated corporations will have access to all the evidence against them (such as it is); and does not ensure an opportunity to develop the record by calling witnesses or cross-examining the witnesses (if any) against them. Once the designation becomes effective, the DTO regime also makes it a crime for designated organizations' employees to participate in the proceedings—by, for example, coordinating with legal counsel and submitting declarations to establish basic facts about their employers' operations. *See generally* Fla. Stat. §943.03102; *see also id.* §§ 775.33(3), 874.10.

The Constitution demands more. Consider *James Daniel Good Real Property*, 510 U.S. at 55. There, the Supreme Court held that the government's seizure of real property from a homeowner, without a prior adversary hearing before a "neutral decisionmaker," violated the homeowner's right to procedural due process. *Id.* Notably, the Court rejected the proposition that the "availability of a postseizure hearing" provided all the process the homeowner was due; as the Court explained, "a claimant m[ight] not receive an adversary hearing until many months after the seizure," and even a favorable outcome for the claimant, "coming

months after the seizure, would not cure the temporary deprivation that an earlier hearing might have prevented." *Id.* at 56 (citation modified). The Court's opinion in *Barry v. Barchi*, 443 U.S. 55 (1979), is in the same vein. There, the Court held that a statute authorizing the suspension of certain horse-trainers' licenses violated the guarantee of procedural due process when the post-deprivation "administrative hearing" available under the statute did not "assure[] a prompt proceeding and prompt disposition of the outstanding issues between [a trainer] and the State," either "on its face [n]or as applied." *Id.* at 66. The DTO regime's "appeal" procedure has the same defects.

c. Providing additional procedural protections would not undermine any legitimate state interest.

For all these reasons, the DTO regime lacks meaningful safeguards against erroneous deprivation. Genuine procedural protections, calibrated to the all-encompassing consequences of designation for an organization's operation and existence, would, at minimum, require state officials to initiate a trial-type procedure before a neutral magistrate and prove that a U.S. corporation satisfied the prerequisites for designation under the DTO regime—all *before* the corporation could be designated.

Providing those procedures would not undermine any legitimate state interest. As a practical matter, the administrative burden of additional procedures would be slight; after all, this is exactly what the government has always had to do

when seeking to establish that an organization is a "criminal gang" under the CGPA or is engaging in "terrorist activity" within the meaning of Section 775.30(1). More fundamentally, Florida's interest in preventing actual crime—the only legitimate interest that the state's wrongful designation could even arguably serve—cannot be undermined by providing the process due under the Constitution. "Due process standards inevitably" reduce the government's leeway to do as it wishes, "but that tells us no more than that the Constitution imposes burdens on the functioning of government and especially of law enforcement institutions." *Breed v. Jones*, 421 U.S. 519, 535 n.15 (1975).

* * *

Procedure matters. Indeed, "[t]he history of American freedom is, in no small measure, the history of procedure." *In re Gault*, 387 U.S. 1, 21 (1967). This is what makes the DTO regime so dangerous. It is not only unconstitutional, but anti-constitutional: an attack on the foundational principles of justice and fair play that are indispensable to government by the consent of the governed.

II. The DTO Regime and Plaintiffs' Designations Violate the First Amendment.

A. The DTO Regime and Plaintiffs' Designations Violate Their Freedom of Association.

The Supreme Court has "long understood as implicit in the right to engage in activities protected by the First Amendment a corresponding right to associate with

others." *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984). Freedom of association "is especially important in . . . shielding dissident expression from suppression by the majority." *Ams. for Prosperity Found. v. Bonta*, 594 U.S. 595, 606 (2021) (citation omitted). Plaintiffs engage in the type of expressive association at the heart of the First Amendment: through legal advice and representation, education, community organizing, and advocacy, they seek to promote religious tolerance and understanding, cultural education, civil rights, and public policy that protects the equal treatment of Muslims in the United States. The designation of Plaintiffs under the DTO regime, and the resulting array of penalties for protected activity, violate Plaintiffs' right to association.

Plaintiffs' designations will bring their protected activity and associations in Florida to a halt. *See* Mitchell Decl. ¶¶ 6-7, 19, 29, 52-56, 58-67, 73-75; Ruiz Decl. ¶¶ 5-6, 18, 30, 51, 69-81, 86-87; Hasan Decl. ¶¶ 2-4. Once the designations are effective, the DTO regime immediately imposes criminal liability on Plaintiffs if they "initiate[], organize[], plan[], finance[], direct[], manage[], or supervise[]" any "activity"—including protected associational activity—"committed with the intent to benefit, promote, or further the interests of" Plaintiffs. Fla. Stat. §§ 874.10, 874.03(4)(a). And it imposes liability on Plaintiffs' employees, board members, volunteers, and others who do the same, *id.*—or who provide any form of material support to CAIR or CAIR Florida, including by providing services or engaging in

work on their behalf, *id.* § 775.33(3), (5); *see also, e.g.*, Fla. Stat. § 943.03102(4)(b)-(c) (prohibiting state and municipal entities from spending appropriated funds "to support" any "member" of designated organizations). These indirect penalties—which coerce third parties into suppressing CAIR's speech and disassociating from CAIR—are just as significant. *See, e.g.*, *Vullo*, 602 U.S. at 190; *cf. CAIR I*, 822 F. Supp. 3d at 1273-79.

Given the DTO regime's burden on Plaintiffs' associational rights, at a minimum, "exacting scrutiny" applies: the burden must be "narrowly tailored to the government's asserted interest," which must be "substantial." *Ams. for Prosperity Found.*, 594 U.S. at 607-08 (citation omitted); *id.* at 609 (narrow tailoring critical because "First Amendment freedoms need breathing space to survive" (citation omitted)).

The DTO regime and the designations of Plaintiffs fail this test.[9] Even if the state may have an important interest in sanctioning and deterring violent terrorism, criminalizing Plaintiffs' expressive association in support of religious tolerance,

[9] Given the nature and degree of the burden the designation imposes—which far outstrips the "risk of chill" from the disclosure requirements in *Americans for Prosperity Foundation*, 594 U.S. at 617-18—Plaintiffs submit that strict scrutiny is appropriate. *See Clingman v. Beaver*, 544 U.S. 581, 586 (2005) (election context) ("Regulations that impose severe burdens on associational rights must be narrowly tailored to serve a compelling state interest." (citation omitted)). Regardless, the designation of Plaintiffs fails even exacting scrutiny.

cultural education, and civil rights bears no relationship whatsoever to that interest. Simply put, halting an expressive association's legal representations, educational programs, community organizing, and policy advocacy will not punish or prevent violent terrorist acts.

Indeed, nothing about the DTO regime or Plaintiffs' designations is narrowly tailored. The law is designed to allow Florida's executive branch to designate any organization it disfavors for destruction. Even if the organization—here, two civil rights nonprofits—eventually prevails in challenging the designation in court, it will be incapacitated for weeks or months as the organization, its employees, board members, volunteers, and others face an array of punishments for acting to advance its mission. Mitchell Decl. ¶¶ 52-56, 58-67, 73-75; Ruiz Decl. ¶¶ 51, 69-81, 86-87; Hasan Decl. ¶¶ 3-4. Moreover, Florida law *already* criminalizes terrorism, facilitating or furthering terrorism, and providing material support to a foreign terrorist group—along with aiding, abetting, and conspiring to commit those crimes. Fla. Stat. §§ 775.30, 775.31, 775.33(3), 777.011, 777.04. Because the state already "has available to it a variety of approaches that appear capable of serving its interests, without" burdening Plaintiffs' associational rights, the DTO regime and the designations of Plaintiffs are "hardly . . . narrowly tailored solution[s]." *McCullen v. Coakley*, 573 U.S. 464, 493-94 (2014).

The DTO regime and Plaintiffs' designations are also unlawful because they impose "guilt for association" on Plaintiffs' staff, board members, and donors—an "impermissible basis upon which to deny First Amendment rights." *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 919-20, 925 (1982) (citation omitted). The state cannot criminally prohibit association without *proving* that (1) Plaintiffs have illegal aims and goals, and (2) Plaintiffs' staff, board members, and donors have a specific intent to further those illegal aims. *Id.* (citing *Healy v. James*, 408 U.S. 169, 186 (1972)). Although the state has not met and cannot meet this burden, executive officials have nevertheless deemed Plaintiffs guilty under the DTO regime, and people who associate with Plaintiffs face liability for their association as a result. Indeed, the DTO regime has defined crimes in such a way that the State *never* needs to prove that Plaintiffs "possess[] unlawful aims and goals." *Healy*, 408 U.S. at 186; *see* Section I.A, *supra*. This "guilt for association," in turn, profoundly impairs Plaintiffs' protected relationships in violation of the First Amendment.[10]

[10] Although 11RER26-8(4) exempts "mere membership" from the reach of the DTO regime, that is irrelevant. The DTO regime's criminalization of Plaintiffs' employees, donors, and other active associates still impermissibly imposes guilt on these individuals by virtue of their relationships with Plaintiffs, which in turn impairs Plaintiffs' First Amendment right to engage in those expressive relationships and to pursue their lawful missions through those associations.

B. The DTO Regime and Plaintiffs' Designations Impose an Unlawful Prior Restraint on Their Speech and Association.

1. Designation functions as a prior restraint.

Designation under the DTO regime functions as a prior restraint because it allows Florida's executive branch to suppress disfavored speech and association before they take place. *See Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 71 (1963); *cf. CAIR I*, 822 F. Supp. 3d at 1276-77. "A prior restraint on expression exists when the government can deny access to a forum for expression before the expression occurs." *Barrett v. Walker Cnty. Sch. Dist.*, 872 F.3d 1209, 1223 (11th Cir. 2017) (citation omitted); *see also Jarrard v. Sheriff of Polk Cnty.*, 115 F.4th 1306, 1321 (11th Cir. 2024) ("[A]lthough the term 'prior restraint' calls to mind government officials censoring newspapers and magazines . . . in fact it applies more broadly." (citation omitted)); *Healy*, 408 U.S. at 184 (holding that a college's denial of recognition of a student group was a form of prior restraint on associational rights).

Here, executive branch officials decide whether a domestic organization's constitutionally protected speech and association can continue as usual, or whether the same speech and association will, going forward, become a crime. Because the DTO regime vests power in the executive branch to *change the legal status* of protected speech and association, and because the sweep and severity of the regime's penalties force designated organizations to halt their protected activity in Florida, designation is a prior restraint. It silences Plaintiffs before their speech and

association take place. In the absence of this Court's intervention, Plaintiffs will become non-entities in Florida. Their speech will not merely be chilled; it will be frozen. *See Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 559 (1976).

Bantam Books is instructive. There, the Supreme Court held unconstitutional a Rhode Island law establishing a "Commission to Encourage Morality in Youth." 372 U.S. at 59, 71. By statute, the commission had the duty to educate the public about obscene books and to investigate and recommend prosecution for related statutory violations. After the commission unilaterally deemed a book title obscene, it would send a notice so informing the book distributor; a local police officer would typically follow up with the distributor about the notice. *Id.* at 62. The scheme predictably resulted in the distributor halting further circulation of the targeted books. *Id.* at 63-64. In practical terms, the commission wielded extraordinary discretion to suppress speech without a judicial finding of illegality. The Court held that this scheme amounted to "a system of prior administrative restraints . . . bearing a heavy presumption against its constitutional validity" because "the Commission is not a judicial body and its decisions to list particular publications as objectionable do not follow judicial determinations that such publications may lawfully be banned." *Id.* at 70. So too, here.

The "vice" of the system in *Bantam Books* was that the commission served as "a form of effective state regulation superimposed upon the state's criminal

regulation of obscenity," while "eliminat[ing] the safeguards of the criminal process." *Id.* at 69-70. The same vice lies at the heart of the DTO regime. The new scheme is superimposed upon the state's criminal laws concerning terrorism—allowing executive officials to freeze the speech and association of nonprofits without the safeguards of the criminal process.[11]

2. The DTO regime is unlawful because it vests excessive discretion in Florida's executive branch to suppress disfavored speech and association.

In imposing this prior restraint, the DTO regime violates the First Amendment because it grants executive officials unduly broad discretion to choose which speech and association to suppress. Critically, the State Executive Defendants' discretion to designate U.S. groups is entirely unlike ordinary prosecutorial discretion, where a prosecutor decides whether to bring charges concerning a completed violation of a generally applicable criminal law. Instead, under the DTO regime, executive officials' discretionary choice *changes the legal status* of otherwise lawful speech and association. That choice triggers unique,

[11] Even when a state regulates *unprotected* speech, "the most rigorous procedural safeguards" are of "vital necessity," because "the freedoms of expression must be ringed about with adequate bulwarks." *Bantam Books*, 372 U.S. at 65-66. Those rigorous safeguards are lacking here. As in *Bantam Books*, officials involved in the designation are "not a judicial body"; there "is no provision whatever for judicial superintendence before notices issue"; and organizations are "not even entitled to notice and hearing before [their speech is] listed by the Commission as objectionable." *Id.* at 70-71.

prospective, and debilitating liabilities for DTOs and those who associate with them. *See* Mitchell Decl. ¶¶ 52-56, 58-67; Ruiz Decl. ¶¶ 69-81; Hasan Decl. ¶¶ 2-4.

Where, as here, a statute allows an executive official to burden First Amendment-protected expression, it must provide the official with narrow, precise, and objective standards to govern the decision. *See, e.g.*, *Atlanta J. & Const. v. City of Atlanta Dep't of Aviation*, 322 F.3d 1298, 1310 (11th Cir. 2003) ("A grant of unrestrained discretion to an official responsible for monitoring and regulating First Amendment activities is facially unconstitutional."). While "some measure of discretion is acceptable," "virtually any amount of discretion beyond the merely ministerial is suspect." *Lady J. Lingerie, Inc. v. City of Jacksonville*, 176 F.3d 1358, 1362 (11th Cir. 1999) (explaining that "[s]tandards must be *precise* and *objective*," citing a "first-come, first-served" rule as an example).

The DTO regime fails this test. Through the designation power, it grants officials extraordinary discretion to silence domestic organizations' First Amendment-protected activity. Under Section 943.03102(1)(a), the Chief of Domestic Security may designate an organization as a DTO if, among other things, "[t]he terrorist activity of the organization is an ongoing threat to the security of this state or the United States," and "[t]he organization is engaging in terrorist activity as defined in [§] 775.30." As to the first of these elements, the "ongoing

threat" and "security" assessments are inherently discretionary, and the statute fails for this reason alone: it allows executive officials to pick and choose which organizations may continue with their protected expression, based on criteria that are neither precise nor objective. *See Lady J. Lingerie, Inc.*, 176 F.3d at 1362. How serious must the threat be? How probable? How imminent?

Likewise, the "terrorist activity" prong confers significant discretion on executive officials. Under Section 775.30, "terrorist activity" is defined in reference to, among other things, "a violation of the criminal laws of this state or of the United States." This allows officials to "decide which statutes or ordinances apply" and "whether the applicant has violated those laws." *Fly Fish, Inc. v. City of Cocoa Beach*, 337 F.3d 1301, 1313 (11th Cir. 2003) (holding ordinance unconstitutional). Applying Section 775.30, officials must further assess whether the activity is intended to, for example, intimidate a civilian population or influence the policy of a government. These determinations "exceed[] the limits of permissible 'ministerial discretion.'" *Id.*

Although the DTO regime contemplates that a designated group may file an "appeal" in state court, Fla. Stat. § 943.03102(2)(f), that is no substitute for precise and objective standards to govern executive discretion in the first instance, *see, e.g.*, *Bourgeois v. Peters*, 387 F.3d 1303, 1316-20 (11th Cir. 2004) (analyzing excessive discretion and inadequate judicial review as independent constitutional

violations). That is because standards serve two functions: they constrain officials ex ante, and they give a reviewing court guidance to "quickly and easily" determine whether officials are discriminating against disfavored speech. *City of Lakewood v. Plain Dealer Publ'g Co.*, 486 U.S. 750, 757-72 (1988). The DTO regime vests executive officials with excessive discretion to suppress domestic organizations' speech and association, and accordingly, it violates the First Amendment.

3. The DTO regime lacks the necessary procedural safeguards.

Because the DTO regime and the designations of Plaintiffs present the "grave dangers of a censorship system," *Wacko's Too, Inc. v. City of Jacksonville*, 134 F.4th 1178, 1192 (11th Cir. 2025) (cleaned up), the Supreme Court requires three procedural protections to save the statutory scheme from unconstitutionality. None of those protections are present here.

Two years after *Bantam Books*, the Supreme Court fully set out these procedural safeguards in *Freedman v. Maryland*, 380 U.S. 51, 58-60 (1965). There, the Court invalidated a statutory scheme that required film exhibitors to submit their movies to a state censorship board. *Id. Freedman* and its progeny explained that, under a prior restraint scheme: (1) the state must bear the burden of going to court and proving that the speech it seeks to prohibit is unprotected; (2) the statute must require a final judicial determination on the merits within a specified period;

and (3) the status quo should be maintained prior to judicial review, or any restraint should be limited to the shortest, "fixed" period compatible with sound judicial resolution. *See id.*; *Wacko's Too*, 134 F.4th at 1192-93 & n.7 (discussing ambiguities related to the third factor; explaining that precedent can be read to require maintenance of a speech-protecting status quo "prior to judicial review").

Here, the State Executive Defendants function effectively as a censorship board under the DTO regime. *See Bantam Books*, 372 U.S. at 67 ("We are not the first court to look through forms to the substance and recognize that informal censorship may sufficiently inhibit [speech] to warrant injunctive relief."); *see also, e.g.*, *Famine Relief Fund v. West Virginia*, 905 F.2d 747, 750-53 (4th Cir. 1990) (applying *Freedman* to law limiting percentage of charitable expenditures that can be used for fundraising). Because the DTO regime presents the precise dangers that the Supreme Court sought to address through the *Freedman* procedural safeguards, those safeguards are required here. *See Wacko's Too, Inc.*, 134 F.4th at 1192.

Under *Freedman*, the DTO regime fails. First, *Freedman* requires the state to bear the burden of going to court to impose its restraint—here, the designation—and to carry the burden of proof to establish that Plaintiffs' protected speech and association may legitimately be criminalized. *Freedman*, 380 U.S. at 58-60; *Blount v. Rizzi*, 400 U.S. 410, 417 (1971). But the DTO regime places the burden of going to court on the designated organization. Fla. Stat. § 943.03102(2)(f). Indeed, it

even *limits* the organization's rights by prescribing a 30-day window for the filing of a "challenge" to the designation. *Id.* And the statute does not specify who would bear the burden of proof in any judicial challenge, *id.*—though it is unclear how Plaintiffs could "possibly sustain the burden of proving the negative of the[] complex factual elements" for designation. *Speiser v. Randall*, 357 U.S. 513, 525-26 (1958).

Second, *Freedman* requires that the statutory scheme assure a "prompt final judicial decision." 380 U.S. at 57-60 (accepting plaintiff's argument that judicial review provision was "too little and too late"); *Blount*, 400 U.S. at 417 (requiring "a final judicial determination on the merits within a specified, brief period"). The DTO regime does not assure any decision on the merits within a specified, brief period; it simply states that a designated organization may file a challenge in court. Fla. Stat. § 943.03102(2)(f).

Third, and relatedly, under the DTO regime, there is no guarantee that a speech-protective status quo will be maintained prior to judicial review, *Wacko's Too*, 134 F.4th at 1192; nor is there any guarantee that a restraint on speech would be limited to a "fixed" period, *Freedman*, 380 U.S. at 59. The designation may become effective before any judicial review, and it may remain in effect for however long a court takes to decide the issue. *See* Fla. Stat. § 943.03102(2)(f); 11RER26-8(3).

Because the DTO regime and the designations of Plaintiffs create a system of prior restraints that censors Plaintiffs, the absence of any one of these procedural protections violates the First Amendment. The DTO regime lacks all three.

C. The DTO Regime and Plaintiffs' Designations Unlawfully Punish Speech Based on Its Content and Viewpoint.

The DTO regime and Plaintiffs' designations are also unlawful because they burden Plaintiffs' speech and Plaintiffs' right to receive information on the basis of the speech's content and viewpoint. For example, once Plaintiffs' designations are effective, liability under Section 874.10 will turn on the message conveyed by the speech and, specifically, whether the speech is intended to further the interests of Plaintiffs. Speech advancing Plaintiffs' interests will be subject to criminal prohibition, while speech opposing those same interests will not. *See Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015) (content discrimination); *Rosenberger v. Rector & Visitors of Uni. of Va.*, 515 U.S. 819, 829 (1995) (viewpoint discrimination). Similarly, Section 775.33(3) will prohibit the provision of speech *as a service to Plaintiffs*, while the same speech provided to others is not prohibited—again, discriminating on the basis of the content and viewpoint of the speech, and burdening Plaintiffs' First Amendment right to receive information, including expert assistance. *See id.*; *see also, e.g.*, *Kleindienst v. Mandel*, 408 U.S. 753, 762-65 (1972) (discussing right to receive information). These burdens are not

narrowly tailored to actually advance a compelling state interest. *See* Section II.A, *supra*.

Notably, the DTO regime's restrictions extend even to Plaintiffs' speech in furtherance of this litigation. Plaintiffs can act only through their employees, but if their employees act on Plaintiffs' behalf after the designations become effective—for example, by participating in discovery or drafting declarations—they face significant criminal liability under both Sections 775.33 and 874.10. Although the temporary rule (which expires on December 10, 2026) includes a carve-out for the law firms litigating this case, there is no exception for Plaintiffs to participate in this litigation or any other. 11RER26-8(5).

Even if the Court were to conclude that these restrictions are not content discriminatory, they nevertheless violate Plaintiffs' right to engage in expressive association with Plaintiffs' counsel for litigation, *NAACP v. Button*, 371 U.S. 415, 438-39 (1963), as well as Plaintiffs' right to petition the courts, *see, e.g.*, Mitchell Decl. ¶¶ 68-72; Ruiz Decl. ¶¶ 82-85; *DeMartini v. Town of Gulf Stream*, 942 F.3d 1277, 1288-89 (11th Cir. 2019) (collecting cases concerning right to petition). For the reasons above, the DTO regime's restrictions do not actually advance any substantial (let alone compelling) state interest, and they are in no way tailored to any interest, as they will force two nonprofits engaged in First Amendment-protected activity to cease their advocacy in Florida.

III. Plaintiffs Satisfy the Remaining Requirements for Emergency Relief.

A. Designation Is Already Causing Irreparable Injury to Plaintiffs, and Absent the Court's Intervention, Plaintiffs' Injuries Will Only Become More Severe.

Designation is already impairing Plaintiffs' exercise of First Amendment rights. *See* Section II, *supra*. That alone constitutes irreparable injury. *KH Outdoor, LLC v. City of Trussville*, 458 F.3d 1261, 1270-72 (11th Cir. 2006) ("'The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.'" (citation omitted)). Moreover, when Plaintiffs' designations become effective, Plaintiffs will have no choice but to shutter their operations in Florida, halting their advocacy in the state and interfering with their legal representation of clients in Florida—all under threat of criminal punishment. *See* Mitchell Decl. ¶¶ 52-56, 58-75; Ruiz Decl. ¶¶ 69-87; Hasan Decl.¶¶ 2-4. These injuries are both severe and unquantifiable, making them irreparable. *ABC Charters, Inc. v. Bronson*, 591 F. Supp. 2d 1272, 1309 (S.D. Fla. 2008) ("The threat of criminal prosecution also constitutes irreparable harm.").

B. The Balance of Equities Favors Emergency Relief.

"[D]amage to the opposing party and public interest" merge in this case against the government. *Otto v. City of Boca Raton*, 981 F.3d 854, 870 (11th Cir. 2020). The equities favor Plaintiffs. Plaintiffs are suffering, and will continue to suffer, severe constitutional injuries and unwarranted stigma due to their

designations under the DTO regime. They pose no harm to state security; indeed, the state allowed Plaintiffs to continue speaking and associating in Florida for two months while FDLE drafted its emergency rule. Nothing appreciable weighs on the state's side of the scale. And as the Eleventh Circuit has recognized, the government has no interest in enforcing an unconstitutional law. *See KH Outdoor, LLC*, 458 F.3d at 1272 (11th Cir. 2006).

C. Requested Relief

Plaintiffs' requested relief is necessary to restore the status quo ante. In particular, the removal, recission, and non-publication of Plaintiffs' designation is essential to Plaintiffs' relief during the pendency of this litigation. If the Court were to enjoin only *Defendants' enforcement* of the DTO regime, it would not undo the stigmatizing effects of being designated and officially publicized as a "domestic terrorist organization," Mitchell Decl. ¶ 51; Ruiz Decl. ¶ 65, nor would it protect Plaintiffs from, *inter alia*, the irreparable harms of nuisance abatement actions by private citizens, starting November 5. Under Sections 823.05(2) and 60.05, any activity by Plaintiffs—including protected speech and association—that is intended to further their interests is per se a public nuisance, and any citizen of the county where the "nuisance" exists may sue to enjoin it. The designation's authorization of these suits will cause irreparable harm, Ruiz Decl. ¶ 81, traceable to the State Executive Defendants' designation and the Chief of Domestic Security's imminent

publication of Plaintiffs' designations. The requested relief will ensure that the DTO regime's many provisions cannot be unlawfully applied against Plaintiffs—or against third parties based on their association with Plaintiffs—while this constitutional challenge is pending.[12]

In the alternative, Plaintiffs also move to temporarily restrain and preliminarily enjoin the State Attorney Defendants and the Attorney General from enforcing the DTO regime's provisions against Plaintiffs pursuant to their designations as DTOs, and from enforcing the DTO regime's provisions against third parties in connection with the designation of Plaintiffs as DTOs.

CONCLUSION

For all these reasons, the Court should grant Plaintiffs' motion.[13]

---

[12] Plaintiffs seek relief that returns the parties to the status quo ante, prior to Plaintiffs' designation, and therefore the ordinary injunction standard applies. *See, e.g.*, *Canal Auth. of State of Fla. v. Callaway*, 489 F.2d 567, 576 (5th Cir. 1974) (distinguishing relief that "return[s] to the last uncontested status quo between the parties" from "a mandatory injunction"); *Nutra Health, Inc. v. HD Holdings Atlanta, Inc.*, No. 1:19-CV-05199-RDC, 2021 WL 5029427, at *2 (N.D. Ga. June 29, 2021) (citing *United Steelworkers of Am., AFL-CIO v. Textron, Inc.*, 836 F.2d 6, 10 (1st Cir. 1987)); *League of Women Voters of N. Carolina v. North Carolina*, 769 F.3d 224, 236 (4th Cir. 2014) (defining the status quo for purposes of a prohibitory injunction as "the last uncontested status between the parties which preceded the controversy").

[13] Plaintiffs request that the Court waive bond or require a nominal bond. *See Scott v. City of Daytona Beach*, 689 F. Supp. 3d 1160, 1170 (M.D. Fla. 2023).

Respectfully submitted October 2, 2026,

/s/ Daniel Tilley

Daniel B. Tilley (FBN 102882)
ACLU Foundation of Florida
4343 West Flagler Street, Ste. 400
Miami, FL 33134
(786) 363-2714
dtilley@aclufl.org

Scott D. McCoy (FBN 1004965)
Aaron Fleisher*
Diego A. Soto*
Mary Ella W. Simmons*
Southern Poverty Law Center
400 Washington Ave
Montgomery, AL 31604
(786) 347-2056
scott.mccoy@splcenter.org
aaron.fleisher@splcenter.org
arthur.ago@splcenter.org
diego.soto@splcenter.org
maryella.simmons@splcenter.org

Hina Shamsi*
Ashley Gorski*
Patrick Toomey*
Charles Hogle*
Celin Carlo-Gonzalez*
Jeffrey Stein*
Natalie Smith*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500
hshamsi@aclu.org
agorski@aclu.org
charlie.hogle@aclu.org
ccarlo-gonzalez@aclu.org
jstein@aclu.org
n.smith@aclu.org
ptoomey@aclu.org

Manoj S. "Sachin" Varghese*
Mark L. Bailey*
Kayla Polonsky Gannon*
Bondurant, Mixson & Elmore, LLP
1201 W. Peachtree St. NW, Ste. 3900
Atlanta, GA 30309
(404) 881-4100
varghese@bmelaw.com
bailey@bmelaw.com
polonsky@bmelaw.com

**Pro hac vice application forthcoming*

Counsel for Plaintiffs

CERTIFICATE OF WORD COUNT

I certify that this memorandum contains 10,998 words.

Dated: October 2, 2026

/s/ Daniel Tilley
Daniel B. Tilley
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on October 2, 2026, the foregoing document was served on all Defendants by emailing it to counsel for Defendants, John Ramer (jramer@cooperkirk.com). Defendants consented to this method of service in writing in accordance with Federal Rule of Civil Procedure 5(b)(2)(E).

Dated: October 2, 2026

/s/ Daniel Tilley
Daniel B. Tilley
Counsel for Plaintiffs

EXHIBIT E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CAIR-FOUNDATION, INC. and
CAIR FLORIDA, INC.,

Plaintiffs,

v.

RON DESANTIS, in his official capacity as Governor of Florida; LARRY KEEFE, in his official capacity as Florida Chief of Domestic Security; JAMES UTHMEIER, in his official capacity as Florida Attorney General; BLAISE INGOGLIA, in his official capacity as Florida Chief Financial Officer; WILTON SIMPSON, in his official capacity as Florida Commissioner of Agriculture; GINGER BOWDEN MADDEN, in her official capacity as State Attorney for the 1st Judicial Circuit; JACK CAMPBELL, in his official capacity as State Attorney for the 2nd Judicial Circuit; JOHN DURRETT, in his official capacity as State Attorney for the 3rd Judicial Circuit; MELISSA NELSON, in her official capacity as State Attorney for the 4th Judicial Circuit; BILL GLADSON, in his official capacity as State Attorney for the 5th Judicial Circuit; BRUCE BARTLETT, in his official capacity as State Attorney for the 6th Judicial Circuit; R.J. LARIZZA, in his official capacity as State Attorney for the 7th Judicial Circuit; BRIAN KRAMER, in his official capacity as State Attorney for the 8th Judicial Circuit, MONIQUE WORRELL, in her official capacity as State Attorney for the 9th Judicial Circuit; BRIAN HAAS, in his official capacity as State Attorney for the 10th Judicial Circuit;

Case No. 4:26-cv-521

KATHERINE FERNANDEZ RUNDLE, in her official capacity as State Attorney for the 11th Judicial Circuit; ED BRODSKY, in his official capacity as State Attorney for the 12th Judicial Circuit; SUSAN LOPEZ, in her official capacity as State Attorney for the 13th Judicial Circuit; LARRY BASFORD, in his official capacity as State Attorney for the 14th Judicial Circuit; ALEXCIA COX, in her official capacity as State Attorney for the 15th Judicial Circuit; DENNIS WARD, in his official capacity as State Attorney for the 16th Judicial Circuit; HAROLD PRYOR, in his official capacity as State Attorney for the 17th Judicial Circuit; WILLIAM SCHEINER, in his official capacity as State Attorney for the 18th Judicial Circuit; THOMAS BAKKEDAHL, in his official capacity as State Attorney for the 19th Judicial Circuit; and AMIRA FOX, in her official capacity as State Attorney for the 20th Judicial Circuit,

Defendants.
_____/

COMPLAINT

TABLE OF CONTENTS

Introduction 5

Jurisdiction and Venue 8

Parties 8

Factual Background 10

I. Florida's Unprecedented Regime for Designating American Entities as "Domestic Terrorist Organizations" 10

A. The Designation Process 12

B. Critical Protections Missing from the Designation Process.....16

C. The Draconian Consequences of Designation 19

II. Plaintiffs CAIR and CAIR-Florida.....28

A. Plaintiffs Engage in Faith-Based Speech and Advocacy 31

B. Plaintiffs Engage in Lawful Advocacy for Palestinian Human Rights.....34

C. Plaintiffs Are Not Engaged in, and Do Not Support, Terrorist Activity.....37

III. The State Executive Defendants Are Using the DTO Regime to Punish Plaintiffs, Whose Advocacy and Ideology They Disagree With 38

A. Governor DeSantis's and the Cabinet's Hostility Toward Islamic Religious Practices and Muslim Civil Rights Advocacy, Including by CAIR and CAIR-Florida.....39

B. The State Executive Defendants Planned To Designate Plaintiffs Long Before the Vote.....45

C. The State Executive Defendants Are Using the DTO Regime to Punish Plaintiffs for Their Speech and Advocacy.....49

IV. Plaintiffs' Designation Under the DTO Regime.....55

A. The Initial Threat of Designation.....55

B. The First Notice of Intent and Pause for Emergency Rulemaking 56

C. The Approval and Imminent Publication of the Designations 59

D. Plaintiffs' Ongoing and Imminent Injuries.....61

V. The Federal Government's Role in the Designation of Terrorist Organizations, Foreign Affairs, National Security, and Foreign Commerce 67

A. The SDGT Regime 68

B. The FTO Regime 73

C. The SDGT and FTO Regimes Reflect a Careful Balancing of Federal Interests 75

D. Federal Sanctions Targeting the Muslim Brotherhood, Hamas, and Alleged Affiliated Organizations and Individuals 76

Claims for Relief 78

Request for Relief 95

INTRODUCTION

1. This lawsuit challenges Florida's unprecedented "domestic terrorist organization" designation regime, enacted this year by HB 1471.

2. HB 1471 authorizes a handful of state executive officials to decide that an American group—such as a nonprofit organization—is engaging in criminal terrorist activity, and to then deem the group a "domestic terrorist organization" ("DTO"). Once designated, the American organization is radioactive: an elaborate set of prohibitions makes it a serious crime for the organization to do virtually anything in the State of Florida, and for others to work for or otherwise actively associate with it. The consequences of violating these prohibitions are severe, including up to life imprisonment. As a result of designation, an organization's lawful, constitutionally protected speech and association are immediately rendered illegal and impossible—simply because state executive officials say so.

3. Florida already has, and has long had, criminal laws allowing it to prosecute U.S. groups for engaging in actual terrorist activity. The state's new designation regime is different: it is a thinly veiled effort to bypass the criminal process entirely, sidestepping the fundamental protections that the Constitution guarantees to criminal defendants.

4. Under HB 1471, Florida executives have the power to designate and debilitate U.S. groups—again, including nonprofits—without filing charges,

initiating judicial proceedings, proving their case beyond a reasonable doubt, submitting the case to a jury, or complying with any of the other constitutional requirements of the criminal legal system. The new regime transforms Florida's Governor, Chief of Domestic Security, and Cabinet into judge, jury, and nonprofit executioner.

5. The plaintiffs in this lawsuit are two U.S. nonprofits: CAIR, the largest Muslim civil rights organization in the country, and its state chapter, CAIR-Florida. Their shared mission, rooted in faith, is to help people understand Islam, protect civil rights, promote justice, and empower American Muslims. For decades, they have pursued this mission the same way as countless other nonprofits—by holding community events, publishing educational and advocacy materials, opining on government policies, petitioning elected officials, and providing legal advice and representation.

6. The state has never indicted, much less convicted, either CAIR or CAIR-Florida under any criminal law—and certainly not a criminal law involving the serious charge of terrorism. If the state tried, it would fail. The reason is simple: neither CAIR nor CAIR-Florida is engaged in terrorist activity, and the state would be unable to prove its case in a court of law.

7. But today, due to HB 1471, proof in a court of law is no longer a prerequisite. Florida officials have used the powers conferred on them by HB 1471

to designate CAIR and CAIR-Florida as "domestic terrorist organizations." Absent judicial intervention, that designation will be effective on November 5, 2026.

8. The effects of designation on CAIR and CAIR-Florida will be immediate and devastating. In Florida, their speech will be silenced, their doors will be shut, and they will be branded with the stigma of one of society's most infamous and reviled labels.

9. CAIR's and CAIR-Florida's designations are not only wrong, they are unconstitutional. Florida's new designation scheme—the "DTO regime"—and its application to CAIR and CAIR-Florida violates the First Amendment and the Fourteenth Amendment's guarantee of due process.[1] The DTO regime is also preempted by federal law.

10. Plaintiffs seek a declaration that the designation scheme is unconstitutional, an injunction that prevents Plaintiffs' designations from going into effect, and an injunction that bars enforcement of the DTO regime's penalties.

[1] The DTO regime consists of the following, with respect to provisions implicating "domestic terrorist organizations": Florida Statutes §§ 617.1420, 775.30, 775.33, 775.34, 874.03 (and the related "criminal gang" provisions in Sections 823.05 and 874.04–12), 943.03102, and Florida Department of Law Enforcement Emergency Rule 11RER26-8 ("11RER26-8").

JURISDICTION AND VENUE

11. This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1343, as well as 42 U.S.C. §§ 1983 and 1988, because this action arises under the Constitution and laws of the United States.

12. Venue is proper in this district under 28 U.S.C. § 1391 because at least one Defendant resides here and a substantial part of the events giving rise to the claims occurred here.

PARTIES

13. Plaintiff CAIR-Foundation, Inc. ("CAIR" or "CAIR Foundation") is a District of Columbia nonprofit corporation and 501(c)(3) tax-exempt organization headquartered in Washington, D.C. CAIR's faith-driven mission is to enhance the public's understanding of Islam, protect and vindicate civil rights, promote justice, and empower American Muslims. CAIR operates in Florida and nationwide.

14. Plaintiff CAIR Florida, Inc. ("CAIR-Florida") is a Florida nonprofit corporation and 501(c)(3) tax-exempt organization headquartered in Tampa. CAIR-Florida is an affiliated chapter of CAIR and works to advance CAIR's mission through advocacy on legal, cultural, social, nonpartisan political, and civic issues of public concern to American Muslims.

15. Defendant Ron DeSantis is the Governor of Florida. He is one of the officers charged with implementing Florida's DTO regime. Fla. Stat. § 943.03102. He is sued in his official capacity.

16. Defendant Larry Keefe is Florida's Chief of Domestic Security and the Executive Director and Commissioner of the Florida Department of Law Enforcement ("FDLE"). Keefe was appointed to this position on September 29, 2026. Before his appointment, Mark Glass served as the Chief of Domestic Security and Executive Director and Commissioner of FDLE. Keefe is one of the officers charged with implementing Florida's DTO regime. Fla. Stat. § 943.03102(1)(a)1, (2)–(5). He is sued in his official capacity.

17. Defendants James Uthmeier, Blaise Ingoglia, and Wilton Simpson are Florida's Attorney General, Chief Financial Officer, and Commissioner of Agriculture, respectively. Together they constitute the Florida Cabinet and are some of the officers charged with implementing Florida's DTO regime. Fla. Stat. § 943.03102(1)(a)1, (2)–(5). They are each sued in their official capacity (together, with Governor DeSantis and Defendant Keefe, "State Executive Defendants"). Additionally, the Attorney General's Department of Legal Affairs, through the Office of Statewide Prosecution within it, has the power to investigate and bring criminal charges under the DTO regime for alleged multi-circuit crimes. Fla. Const. art. IV, § 4(b); Fla. Stat. § 16.56.

18. Defendants Ginger Bowden Madden, Jack Campbell, John Durrett, Melissa Nelson, Bill Gladson, Bruce Bartlett, R.J. Larizza, Brian Kramer, Monique Worrell, Brian Haas, Katherine Fernandez Rundle, Ed Brodsky, Susan Lopez, Larry Basford, Alexcia Cox, Dennis Ward, Harold Pryor, William Scheiner, Thomas Bakkedahl, and Amira Fox are Florida's twenty state attorneys (together, "State Attorney Defendants"). In those roles, they are each responsible for investigating and bringing criminal charges against persons under Florida's DTO regime. Fla. Stat. §§ 775.30, 775.32–.34, 823.05, 874.01, *et seq.* They are each sued in their official capacity.

FACTUAL BACKGROUND

I. Florida's Unprecedented Regime for Designating American Entities as "Domestic Terrorist Organizations"

19. On April 6, 2026, Governor Ron DeSantis signed HB 1471. That law grants Florida's executive branch the extraordinary and unprecedented authority to single out and punish U.S. groups—including nonprofit organizations engaged in speech and association protected by the First Amendment—that it unilaterally deems to be criminals and security threats. The law became effective on July 1, 2026.

20. On September 11, 2026, FDLE used Florida's emergency rulemaking procedures to promulgate Emergency Rule 11RER26-8.[2] The emergency rule implements HB 1471. It expires 90 days from its promulgation. Fla. Stat. § 120.54(4)(c).

21. The DTO regime empowers Florida's Chief of Domestic Security, Governor DeSantis, and the Florida Cabinet to designate U.S. groups as "domestic terrorist organizations."

22. As a predicate to designation, the DTO regime authorizes Florida's Chief of Domestic Security, Governor DeSantis, and the Florida Cabinet to find that a U.S. organization "is engaging" in a particularly heinous form of criminal wrongdoing: "terrorist activity." Once effective, "designation" triggers the application of a distinct set of criminal and civil laws, such that otherwise-lawful activity now subjects the organization and people associated with it to severe penalties, including life in prison. Designation silences and incapacitates the designated organization—as well as its employees, its members, and a wide range of others associated with it—through these extraordinarily broad and extreme penalties.

[2] *See* Fla. Admin. Code & Fla. Admin. Reg., *Notice: 31366131* (Sept. 11, 2026), https://flrules.org/Gateway/View_notice.asp?id=31366131 (available at https://perma.cc/G7TX-39V4).

23. In effect, the DTO regime authorizes five members of Florida's executive branch to judge the criminal culpability of American organizations and subject them to corresponding criminal punishments while bypassing the fundamental requirements—and protections—of criminal procedure.

A. The Designation Process

24. Under the DTO regime, Florida's Chief of Domestic Security may designate a U.S. group as a "domestic terrorist organization" if he "finds" that it meets three criteria: (1) the organization is based or operates in Florida or anywhere else in the United States; (2) the "organization is engaging in terrorist activity as defined in [Florida Statutes] § 775.30; and (3) "[t]he terrorist activity of the organization is an ongoing threat to the security of [Florida] or the United States." Fla. Stat. § 943.03102(1)(a)1.[3]

25. Under Florida law, the definition of "terrorist activity" has two elements. First, "terrorist activity" must involve either (a) a "violent act or an act dangerous to human life which is a violation of the criminal laws of [Florida] or of the United States" or (b) a violation of the Florida Computer Crimes Act, Florida Statutes

[3] HB 1471 also allows the Chief of Domestic Security to designate entities as "foreign terrorist organizations" ("FTOs") if they have already been federally designated as an FTO "by the United States Secretary of State pursuant to § 219 of the Immigration and Nationality Act" and "[t]he terrorist activity of the organization is an ongoing threat to the security of [Florida] or the United States." Fla. Stat. § 943.03102(1)(a)2.

§ 815.06. Fla. Stat. § 775.30(1)(a)1-a–b. Second, "terrorist activity" must be committed with the intent to "[i]ntimidate, injure, or coerce a civilian population," "[i]nfluence the policy of a government by intimidation or coercion," or "[a]ffect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy." *Id.* § 775.30(1)(a)2.

26. The Chief of Domestic Security must "provide written notice to the Governor and Cabinet of his or her intent to designate" a group as a terrorist organization. Fla. Stat. § 943.03102(2)(a). The written notice "must be accompanied by a summary of the basis for [the] designation." *Id.*

27. The Governor and Cabinet may approve or reject the designation by majority vote no earlier than "7 days after receipt of" the notice from the Chief of Domestic Security. Fla. Stat. § 943.03102(2)(d).

28. The Chief of Domestic Security may not take action on the designation "[u]nless and until the Governor and Cabinet advise that they will hold a meeting to consider the notice of intent." 11RER26-8(1). This requirement appears solely in the emergency rule. The plain language of the DTO statute empowers the Chief of Domestic Security to designate a U.S. group as a "domestic terrorist organization" with or without a majority vote of the Governor and Cabinet, and the DTO statute requires publication of his designation on the FDLE website, Fla. Stat. § 943.03102(1)(b); the approval of the Governor and Cabinet is a prerequisite only

to the publication of the designation in the Florida Administrative Register. *Id.* § 943.03102(2)(e).

29. If the Governor and Cabinet "advise that they will hold a meeting to consider the notice of intent," the Chief of Domestic Security must "promptly" provide the organization in question with the notice of intent, "the date, time, and location of the meeting," and "any materials relating to the notice of intent that are not confidential, exempt, or otherwise protected from disclosure by state or federal law." 11RER26-8(2).

30. The Chief of Domestic Security need not deliver the notice of intent and accompanying materials to the organization unless the organization has a readily discernable location and the notice can be safely delivered. Fla. Stat. § 943.03102(2)(b). The DTO regime does not specify who determines whether the organization's location is readily discernible or whether notice can safely be delivered; nor does it set a deadline by which notice to the organization must be served.[4]

31. An organization that receives a notice of intent under the DTO regime "may, within seven days of receipt, object to the proposed designation in writing

[4] Although 11RER26-8(2)(a) contemplates that notice will be given at least seven days before a scheduled public meeting, nothing in the statute prevents the Chief of Domestic Security from delivering the notice to the organization just before the Governor and Cabinet vote. Fla. Stat. § 943.03102(2)(b).

and provide any information and documentation the organization believes would counsel against the designation." 11RER26-8(2)(a).

32. If the Governor and Cabinet hold a meeting to consider the notice of intent, they "may permit, at their sole discretion, the organization to appear at the meeting and present argument, for a period of time specified by the Governor and Cabinet, as to why the information and documentation the organization previously submitted counsels against the designation." 11RER26-8(2)(b). Nothing in the DTO regime or emergency rule requires the Governor and Cabinet to provide advance notice to the organization regarding whether they will be given an opportunity to present argument, how much time they will be given, or any other procedures to be followed at the meeting.

33. When the Governor and Cabinet approve a designation, the Chief of Domestic Security must publish notice of the designation in the Florida Administrative Register within seven days. Fla. Stat. § 943.03102(2)(e). The Chief of Domestic Security also must "maintain and publish on [FDLE's] website a current list of organizations that" have been designated as DTOs. *Id.*§ 943.03102(1)(b).

34. The designation of a domestic group as a "terrorist organization" is deemed "effective" 30 days after publication in the Florida Administrative Register. 11RER26-8(3); Fla. Stat. §§ 775.30(1)(b), 775.33(1)(b), 874.03(1), (7)(a).

35. Within 30 days of the designation's publication in the Florida Administrative Register, the organization, or any of its members, "may appeal [its] designation by challenging it in the circuit court of the Second Judicial Circuit in and for Leon County, Florida." 11RER26-8(2)(e); Fla. Stat. § 943.03102(f).

B. Critical Protections Missing from the Designation Process

36. The DTO regime does not require state executives to notify designated groups of all the bases or evidence—if any—underlying their designations. On the contrary, the DTO regime authorizes the executives to withhold materials related to the notice of intent on otherwise undefined "state or national security" grounds. Fla. Stat. § 943.03102(2)(c), (g).[5]

37. The DTO regime does not expressly require the Chief of Domestic Security to meet any evidentiary threshold as a condition of finding that U.S. groups, including nonprofit corporations like CAIR and CAIR-Florida, are "engaging in terrorist activity" in violation of state or federal law.

38. The DTO regime sets forth no standards governing the relevance, reliability, or admissibility of the evidentiary bases, if any, upon which the Chief of Domestic Security may find that U.S. groups—including nonprofit corporations

[5] In HB 1473, a companion bill to HB 1471, the Florida legislature modified the state's public records law, exempting from disclosure "any portion of the information . . . provided under [the DTO regime] by the Chief of Domestic Security to the Governor and Cabinet which would reveal information critical to state or national security." Fla. Stat. § 943.03102(g).

like CAIR and CAIR-Florida—are "engaging in terrorist activity" in violation of state or federal law.

39. The DTO regime does not require the Governor and Cabinet to determine that the Chief of Domestic Security's finding satisfies any evidentiary threshold or burden of proof before voting to approve the designation of U.S. groups—including nonprofit corporations like CAIR and CAIR-Florida—as "domestic terrorist organizations."

40. The DTO regime does not, as a condition of designation, require the State Executive Defendants to prove to a jury or neutral magistrate that U.S. groups are "engaging in terrorist activity" in violation of state or federal law.

41. Prior to designation, the DTO regime does not grant U.S. groups the opportunity to obtain document discovery, depose or cross-examine witnesses, present live witness testimony, or otherwise meaningfully test the bases on which the State Executive Defendants intend to designate them.

42. The DTO regime does not require a judicial hearing, judicial ruling, or jury verdict before the Chief of Domestic Security designates a U.S. group as a "domestic terrorist organization." Likewise, the DTO regime does not require a judicial hearing, judicial ruling, or jury verdict before the Chief of Domestic Security publishes designation of a U.S. group in the Florida Administrative Register, or before the designation becomes effective. This is so even though the

designation is predicated on a "finding" of criminal conduct, and even though designation is a form of criminal punishment, as discussed below.

43. In any "challenge" or "appeal" of a designation brought in Florida court under the DTO regime, Fla. Stat. § 943.03102(2)(f) (noting availability of "challenge"); 11RER26-8(2)(e) (noting availability of "appeal"), the DTO regime does not require the court to hold a hearing, order discovery, take testimony, issue a ruling, or otherwise act before the designation becomes "effective."

44. In any "challenge" or "appeal" of a designation brought in Florida court under the DTO regime, the DTO regime does not require the Chief of Domestic Security, Governor, and Cabinet to produce all of the evidence in their possession, inculpatory and exculpatory, relevant to their decision to designate the organization.

45. In any "challenge" or "appeal" of a designation brought in Florida court under the DTO regime, the DTO regime does not specify the applicable standard of review, which party bears the burden of proof, what procedures or rules apply, or what evidence may be submitted by either the state or the designated organization.

46. In any "challenge" or "appeal" of a designation brought in Florida court under the DTO regime, the state court "may not compel the public disclosure of any document that is confidential or exempt under state law or that is confidential,

restricted, or otherwise protected from public disclosure according to federal law." Fla. Stat. § 943.03102(2)(f).

47. The DTO regime provides that a designated organization may petition FDLE "at any time, for the removal of [its] designation." Fla. Stat. § 943.03102(3)(a). Yet the statute fails to provide any procedures FDLE must use in considering such a petition or to specify on what grounds such a petition should be granted.

C. The Draconian Consequences of Designation

48. Once an organization's designation under the DTO regime becomes effective, it is impossible for the organization to continue operating in Florida. The consequences of designation include harsh penalties for virtually any activity intended to further the group's interests or otherwise benefit it.

49. Immediately after a designation becomes effective, designated organizations—as well as their employees, officers, board members, and third parties—are subject to a staggering array of severe penalties for First Amendment-protected speech and conduct. These penalties effectively criminalize any activities that designated organizations—and their employees, officers, board members, or third parties—may take to advance their mission, including their speech. They also criminalize a wide array of third-party interactions with designated organizations,

which in turn limits designated organizations' ability to speak, receive information, and otherwise function.

50. In short, the DTO regime effectively criminalizes the existence of designated organizations in Florida. A designated organization simply cannot function or exist in Florida in any meaningful sense.

51. **Material Support.** The DTO regime makes it a first-degree felony, punishable by up to 30 years in prison, for any person to "knowingly provide[] material support or resources to a designated . . . domestic terrorist organization." Fla. Stat. § 775.33(3).[6]

52. The term "material support or resources" is defined broadly to include providing "any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives,

[6] The material support provision states that "[i]t is the intent of the Legislature that subsections (2) and (3)," including the prohibition on providing material support and resources to a designated DTO, "be interpreted in a manner consistent with federal case law interpreting 18 U.S.C. §§ 2339A and 2339B." Fla. Stat. § 775.33(7). Sections 2339A and 2339B prohibit persons from providing material support and resources to aid in the commission of certain specified crimes and to aid federally designated FTOs.

personnel, or transportation," but not "medicine or religious materials." Fla. Stat. § 775.33(1)(d).

53. A person is deemed to provide "personnel" to a designated DTO if the person "knowingly provides" or "attempts" or "conspires" to provide "himself or herself or another person to" either "[w]ork under the direction and control of" the designated DTO or "[o]rganize, manage, supervise, or otherwise direct the operations of" the designated DTO. Fla. Stat. § 775.33(5)(a).

54. The term "expert advice or assistance" is defined as "advice or assistance derived from scientific, technical, or other specialized knowledge." Fla. Stat. § 775.33(1)(c).

55. The material support provision's "knowing" requirement is satisfied if, among other things, a person has mere "knowledge that the organization" "is a designated . . . domestic terrorist organization." Fla. Stat. § 775.33(3). There is no requirement of an intent to engage in criminal conduct.

56. The statutory definition of "material support or resources" is broad. On its face, the material support provision threatens to punish:

a. Any designated organization's employees, officers, board members, and volunteers who serve as "personnel" to the designated organization or who provide it a "service" by engaging in work on the organization's behalf;

b. Any person, including members of the organization, or entity who donates or pays money to the designated organization, or who provides tangible goods to the designated organization (whether free or for payment);

c. Any person or entity providing any direct services to the designated organization, including banking, financial, administrative, professional, legal, management, communications, or advertising services;

d. Any person or entity providing a designated organization with indirect services, such as use of social media or speaking platforms or physical and digital data and information storage systems;

e. Any person or entity that rents or leases property to or from the designated organization;

f. Any person or entity who advises or provides specialized expert assistance, including legal, financial, or accounting assistance.

57. Emergency Rule 11RER26-8 creates a narrow exception to this prohibition. It states that the FDLE "will not consider there to be cause for prosecution for a violation of" the material support statute "based solely on the provision of legal counsel or legal support services to the organization for purposes of representing or providing advice in connection with existing or anticipated

litigation concerning a designation or defending against a criminal prosecution." 11RER26-8(4)–(5). The emergency rule (and this exception) expires 90 days after promulgation—*i.e.*, on December 10, 2026. Fla. Stat. § 120.5(4)(c)(1).

58. On its face, Emergency Rule 11RER26-8's legal services exception does not apply to the provision of legal services to a designated organization in civil proceedings unrelated to existing or anticipated litigation concerning a designation, including for general compliance and regulatory purposes. Nor does it protect organizational employees who act to support a designated group in litigation by, for example, reviewing and approving filings or participating in document discovery.

59. **Criminal Gang Prevention Act.** The DTO regime amends Florida's Criminal Gang Prevention Act (the "CGPA"), Fla. Stat. § 874.01, *et seq.*, so that any organization designated under the regime—including nonprofits that have never been charged with or convicted of a crime—is also immediately and automatically deemed a "criminal gang" and thus subject to the many criminal penalties provided for under that act. *Id.* § 874.03(8).

60. The CGPA defines a "criminal gang" as "a formal or informal ongoing organization, association, or group that has as one of its primary activities the commission of criminal or delinquent acts, and that consists of three or more persons who have a common name or common identifying signs, colors, or

symbols, including, but not limited to, terrorist organizations." Fla. Stat. § 874.03(1). The DTO regime amended this definition by further defining the term "terrorist organizations" to include any "domestic terrorist organization whose designation as such has been published in the Florida Administrative Register in accordance with § 943.03102." *Id.* § 874.03(8)(a).

61. Florida's classification of a designated "terrorist organization" as a criminal gang under the CGPA immediately exposes the group and its employees to another layer of substantial criminal and civil penalties and immediate and irreparable harm.

62. The CGPA makes it a felony, punishable by up to life in prison, if any person "knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity." Fla. Stat. § 874.10. Under Florida law, "[t]he word 'person' includes . . . corporations." Fla. Stat. § 1.01(3). The term "criminal gang-related activity" is defined broadly to include, among other things, any "activity committed with the intent to benefit, promote, or further the interests of a criminal gang." Fla. Stat. § 874.03(4)(a). Designation therefore subjects an organization and its employees to an immediate risk of criminal prosecution, and up to a life sentence, for engaging in virtually any activity—including speech—intended to further the organization's mission, even if that mission is lawful.

63. The CGPA also makes it a felony of the third degree for "[a]ny person," who, "for the purpose of benefiting, promoting, or furthering the interests of" a DTO, "uses electronic communication . . . to advertise his or her presence in the community." Fla. Stat. § 874.11

64. Relatedly, Florida Statutes § 775.34 makes it a second-degree felony to willfully become a "member" of a DTO who "serves under the direction or control of that organization with the intent to further the illegal acts of the organization." Fla. Stat. § 775.34(2). Given the breadth of "illegal acts" under the CGPA, this provision effectively criminalizes all active membership in a DTO, as members work to further the organization's and its employees' "initiat[ion]" of "criminal gang-related activity." Fla. Stat. §§ 874.03(4), 874.10.

65. Like under the material support provision, Emergency Rule 11RER26-8 creates a limited exception under the CGPA for the provision of legal services to a designated group related to pending or anticipated litigation concerning a designation or in defense against a criminal prosecution. 11RER26-8(5). But this exception has the substantive limitations discussed above and expires after 90 days. Fla. Stat. § 120.5(4)(c)(1).

66. **The designated group is at immediate risk of real and personal property seizure and forfeiture.** Under the CGPA, "[a]ll profits, proceeds, and instrumentalities of criminal gang activity and all property used or intended or

attempted to be used to facilitate the criminal activity of any criminal gang or of any criminal gang member; and all profits, proceeds, and instrumentalities of criminal gang recruitment and all property used or intended or attempted to be used to facilitate criminal gang recruitment are subject to seizure and forfeiture." Fla. Stat. § 874.08. Asset seizure and forfeiture are governed by the Florida Contraband Forfeiture Act. Fla. Stat. § 932.701, *et seq.* That Act authorizes immediate seizure of personal property and assets, and an organization whose assets have been seized may challenge the seizure only in a post-seizure hearing. *Id.* § 932.703(3)(a)–(b).

67. Designation further allows the state and private parties to sue to enjoin the organization's activities. Criminal gangs are considered per se public nuisances under Florida's nuisance statute. Fla. Stat. § 823.05(2)(b)–(c). Under that statute, either the government or private individuals may sue to "abate[] or enjoin[]" the criminal gang and prevent it from any "use of a location" for purposes of engaging in "criminal gang-related activity," *id.*, which is broadly defined to include any activity that furthers a criminal gang's interests, *id.* §§ 823.05(a), 874.03(4).

68. A designated group is also at immediate risk of civil liability for violating the far-reaching provisions of the CGPA. Fla. Stat. § 874.06(1), (2)(b) (authorizing the government and private actors to sue criminal gangs for CGPA violations).

69. Under the DTO regime, designated groups, their employees, board members, volunteers, and others who associate with them face even further consequences, beyond the material support prohibitions and the CGPA.

70. **Prohibition on State Contracts and Funding.** Once the designation of the group has been published in the Florida Administrative Register, no "state agency, political subdivision, or public school district authorized to expend state-appropriated funds or levy ad valorem taxes" may "[e]xpend such funds or taxes to support . . . a domestic terrorist organization, or a member of such organization." Fla. Stat. § 943.03102(4)(a). Nor may any of these state and municipal entities "[c]ontract with . . . a domestic terrorist organization"; nor may they "[a]ccept any funds from . . . a domestic terrorist organization, or a member of such organization," with narrow exceptions. *Id.* § 943.03102(4)(b)–(c).

71. **Dissolution.** The Florida Department of State "may commence" an administrative proceeding "to administratively dissolve" any corporation that "has been designated as a domestic terrorist organization," after "any timely judicial challenge . . . has been resolved." Fla. Stat. § 617.1420. A dissolved corporation "may not conduct any affairs except that necessary to wind up," including liquidating or distributing its assets. *Id.* § 617.1421(3).

72. **Other Penalties for Supporting Designated Organizations.** In addition to the above penalties, Florida law imposes significant consequences on

other third parties that engage in a broad range of other kinds of support to designated organizations, including students and advocacy groups. Among other things, Florida law prohibits certain private schools from contracting with people "affiliated with" a designated DTO, Fla. Stat. § 1002.421(1)(t), and restricts public school spending on activities that "[p]romote" any person or entity who has provided material support to a designated DTO, Fla. Stat. § 1003.035.

II. Plaintiffs CAIR and CAIR-Florida

73. CAIR is the United States' largest Muslim civil rights and advocacy organization.[7] Its faith-driven mission is to enhance the public's understanding of Islam, protect and vindicate civil rights, promote justice, and empower American Muslims through lawful advocacy and expressive activity protected by the First Amendment. CAIR pursues its mission nationwide, working in coordination with affiliate chapters in multiple states, including CAIR-Florida. CAIR has two employees and an independent contractor who live in Florida and perform remote work for CAIR on national and interstate matters; all three work at the managerial or executive level. Two members of CAIR's Board also live in Florida, including the Board Chair. Both work remotely from Florida on CAIR Foundation matters, including matters relating to CAIR's work in Florida.

[7] CAIR was established in 2005. Its predecessor organization was founded in 1994.

74. CAIR-Florida is an affiliated chapter of CAIR. Like CAIR, CAIR-Florida's faith-driven mission is to enhance the public's understanding of Islam, protect civil rights, promote justice, and empower American Muslims. In association with CAIR, CAIR-Florida engages in advocacy, education, and civic participation in Florida. CAIR-Florida operates statewide, with offices located in Tampa and Sunrise. It has five board members, all of whom are based in Florida, and eleven staff members, ten of whom are based in Florida. It also works with six contractors, all of whom are based in Florida, and one subcontractor, who is not based in Florida.

75. CAIR and its 16 affiliated state chapters, including CAIR-Florida, work to advance CAIR's mission through advocacy on legal, cultural, social, policy, and civic issues of public concern to American Muslims. In doing so, CAIR and CAIR-Florida seek to promote religious tolerance and understanding, cultural education, civil rights, and public policy that protects and enhances the equal treatment of Muslims in the United States. Their advocacy includes legal action in state and federal courts, and public policy advocacy, training, education, community organizing, interfaith commentary, and public commentary directed at federal, state and local executive and legislative government officials and the public.

76. CAIR and CAIR-Florida are active in furthering their mission throughout Florida and together have a footprint in nearly every Judicial Circuit through their advocacy work and/or staff presence.

77. As part of their public education and advocacy efforts, employees of CAIR and CAIR-Florida regularly appear on and are quoted in national and local broadcast, print, and digital media outlets to discuss, debate, inform, and provide commentary on issues of public concern. These nonprofits regularly issue press releases and action alerts and hold press conferences as a part of their advocacy and in furtherance of their mission. In addition, Plaintiffs regularly post on social media outlets, like X, Instagram, and Facebook, to communicate with the public and with government officials as part of their advocacy efforts. Plaintiffs, through their employees, use electronic communications to let people know about their presence in the community as a resource for information and legal services. These nonprofits also regularly engage in meetings with local, state, and federal government officials, other organizations, civic groups, and religious institutions, and members of the public as part of their advocacy efforts. CAIR and CAIR-Florida engage in these activities in support of their advocacy efforts individually or jointly, and in some instances CAIR-Florida may do so alone but on behalf of itself and CAIR.

78. CAIR and CAIR-Florida's staff and board members have chosen to work for the organizations and serve on their boards, respectively, because they believe in, and wish to contribute to, the organizations' policy, religious, and civil rights advocacy. Through their work and service, including their provision of specialized skills and speech to the organizations, these individuals associate with one another and with the organizations to advance their shared missions.

A. Plaintiffs Engage in Faith-Based Speech and Advocacy

79. To further their missions, CAIR and CAIR-Florida engage in speech to educate, empower, and defend American Muslims on matters of public concern.

80. For example, CAIR and CAIR-Florida create and disseminate Know Your Rights materials for Muslims who face discrimination in the workplace and at elementary, secondary, and post-secondary schools. CAIR also creates and disseminates guides for Muslims who are traveling, and for those who are approached by law enforcement.

81. CAIR-Florida visits mosques in Florida to educate Muslims about their rights.

82. CAIR advocates for civil rights by providing legal representation and legal advocacy through its Legal Defense Fund. CAIR receives intakes and also represents clients from across the country, including from Florida, in litigation seeking to vindicate legal and constitutional rights. CAIR currently jointly

represents several Florida residents alongside CAIR-Florida in litigation outside of Florida.

83. CAIR-Florida provides a range of pro bono legal services to Florida residents, including those who have suffered government and workplace discrimination in violation of their civil rights and those navigating the immigration system. CAIR-Florida attorneys maintain a substantial immigration docket, representing clients in Miami and Orlando immigration courts as well as in interactions with U.S. Citizenship and Immigration Services. CAIR-Florida also represents multiple clients across several cases related to discrimination, including cases currently pending before the Equal Employment Opportunity Commission. In addition, CAIR-Florida jointly represents several Florida residents alongside CAIR in out-of-state proceedings.

84. During Ramadan, the holiest and most important month of the year for Muslims, CAIR and CAIR-Florida create specialized programing that includes how to request accommodations at work and at school. CAIR-Florida also contacts Florida correctional facilities to remind them of their duty under federal and state law not to curtail the rights of Muslims in their custody.

85. CAIR and CAIR-Florida empower and educate Muslims to be civically engaged through participation in the democratic process. CAIR hosts Muslim Hill Day at the U.S. Capitol, which brings Muslims from across the country, including

from Florida, to engage in advocacy with their members of Congress. In 2026, representatives from CAIR-Florida participated in the event.

86. CAIR-Florida hosts its own Muslim Day at the state Capitol in Tallahassee, Florida. CAIR-Florida's 2026 Muslim Day addressed issues such as free speech and legislation directly harming Muslim American communities; it culminated in the passage of House Resolution 8001, which celebrated the contributions of Florida's Muslim American community and recognized February 2026 as "Muslim American Heritage Month."

87. CAIR and CAIR-Florida also encourage eligible American Muslims to register to vote and to exercise their right to vote through nonpartisan voter education and registration activities. For example, CAIR routinely participates in and supports National Muslim Voter Registration Day.

88. CAIR and CAIR-Florida's advocacy and public education also include participation in interfaith organizations and associations. CAIR and CAIR-Florida engage with members of the public, the media, government officials, and leaders of other faiths to educate them about Islam and to dispel and counter false stereotypes, prejudices, disinformation, and misinterpretations of Islamic tenets, including with respect to Sharia, which is often invoked in political discourse.

89. As part of this work, CAIR and CAIR-Florida frequently counter disinformation about the nature of Sharia and its role in the lives of American

Muslims. CAIR's public materials explain that Sharia is not a threat; instead, it is a moral and spiritual framework that guides Muslims' ordinary, personal exercise of faith in furtherance of values like honesty, service, and community—values they share with other Americans. CAIR and CAIR-Florida note that Sharia requires Muslims to comply with the laws of the land in which they reside, including the U.S. Constitution and other federal and state laws, and that it guides ordinary people toward honesty, service, and community.

90. In 2025, CAIR and CAIR-Florida publicly opposed HB 119, commonly referred to as the "No Shari'a Act," much of which the Legislature eventually incorporated into HB 1471. CAIR-Florida publicly and sharply criticized Governor DeSantis's statements in support of the bill.

91. CAIR and CAIR-Florida's advocacy, public education, community outreach, and civil rights work depend on their employees. They also rely on ongoing association, interaction, and coordination with other faith- and non-faith-based groups, businesses, and the public as an essential predicate to engaging in protected speech, association, and petitioning activity.

B. Plaintiffs Engage in Lawful Advocacy for Palestinian Human Rights

92. To further their missions to promote civil rights and justice, CAIR and CAIR-Florida engage in public speech, expressive association, advocacy, and litigation in support of Palestinian human rights, and in defense of the First

Amendment rights of individuals and organizations advocating for Palestinian human rights.

93. For example, CAIR's and CAIR-Florida's work includes direct legal representation of, and advocacy for, Students for Justice in Palestine ("SJP") chapters targeted with governmental suppression of their exercise of freedom of speech and assembly, including by Governor DeSantis, based on their speech, association, and viewpoints in support of Palestinian human rights.

94. In November 2023, CAIR and CAIR-Florida sued Florida officials, including Governor DeSantis, on behalf of a local SJP student organization at the University of South Florida, challenging a state directive concluding that SJP chapters at Florida public universities must be deactivated. *See Students for Justice in Palestine at the Univ. of So. Fla. v. DeSantis*, No. 1:23-cv-281 (N.D. Fla. 2023).

95. Beyond the SJP litigation, CAIR and CAIR-Florida have played a leading role in defending the civil rights of individuals and organizations advocating for Palestinian human rights, including by challenging governmental actions, institutional bans, and discriminatory enforcement arising from criticism of Israeli government conduct.

96. For example, CAIR and CAIR-Florida engaged in an advocacy campaign to bring back Mohammed Ibrahim—a 16-year-old U.S. citizen from Florida—who was unjustly detained by Israel in February 2025 for almost ten

months. Part of the campaign included CAIR joining an August 2025 letter with more than 100 U.S. faith-based, human rights, and civil rights organizations to U.S. Secretary of State Marco Rubio calling for diplomatic action to secure Mohammed's release.

97. CAIR and CAIR-Florida also issued a March 2025 public statement condemning the Miami Beach mayor's effort to prevent a movie theater from showing an Oscar-winning Palestinian documentary based on its viewpoint.

98. In April 2025, CAIR sent a letter to the U.S. Department of Justice calling on it to prosecute the murder of an American citizen by Israeli settlers. CAIR also issued a February 2025 press release opposing President Donald Trump's assertion that the "U.S. will take over the Gaza Strip" and "own it."

99. CAIR-Florida often petitions state officials through established legal processes to seek accountability for crimes targeting individuals based on their support for Palestinian human rights. For example, in March 2025, CAIR-Florida issued a press release and action alert urging Floridians to request that State Attorney Amira Fox pursue hate crime charges in connection with vandalism targeting pro-Palestine speech.

100. CAIR and CAIR-Florida have condemned and publicly advocated against U.S. support for the Israeli government's human rights abuses against the Palestinian people as a matter of public policy advocacy. CAIR and CAIR-Florida

have also condemned Hamas violence against Israeli civilians, including Hamas's attacks on October 7, 2023.

C. Plaintiffs Are Not Engaged in, and Do Not Support, Terrorist Activity

101. Through public education and advocacy, CAIR and its chapters, including CAIR-Florida, address and oppose narratives that portray Islam or American Muslims with false stereotypes, such as being inherently prone to violence, authoritarianism, religious intolerance, antisemitism, or extremism. Working in association with other faith-based and civil rights organizations, CAIR and CAIR-Florida strive to build a vibrant constitutional democracy where people of all religious traditions can thrive.

102. CAIR and CAIR-Florida have never been charged with, let alone convicted of, a crime. Nor have CAIR or CAIR-Florida ever been designated by the federal government under its terrorism sanctions regime.

103. CAIR and CAIR-Florida are not engaged in, and do not support, terrorist activity, as they have repeatedly stated. Indeed, ISIS, a federally designated Foreign Terrorist Organization, once threatened to assassinate CAIR's leadership because of CAIR's outspoken opposition to violence and terrorism.

III. The State Executive Defendants Are Using the DTO Regime to Punish Plaintiffs, Whose Advocacy and Ideology They Disagree With

104. Florida officials, including Governor DeSantis and Cabinet members, are using the DTO regime to target and punish their perceived political enemies and those whose speech they disfavor, targeting CAIR and CAIR-Florida, which engage in civil rights advocacy on behalf of American Muslims.

105. Governor DeSantis's and Cabinet members' hostility toward CAIR and CAIR-Florida's speech and advocacy has been public and persistent. Over the past several years, Florida officials have repeatedly attacked Muslim civil rights advocacy, including advocacy defending freedom of expression and religion. More recently, Governor DeSantis and Cabinet members have expressed increased hostility towards Muslim religious practices, falsely characterizing the Muslim religious tenets of Sharia as a threat. Governor DeSantis has also tied CAIR to this "threat." By characterizing Sharia as a threat, Governor DeSantis and Cabinet members have made clear that observant Muslims and Muslim organizations, such as Plaintiffs, are not welcome in Florida.

106. Because CAIR and CAIR-Florida are not engaged in terrorist activity of any kind, the State Executive Defendants' only basis for designating CAIR and CAIR-Florida under the DTO regime is their hostility to both organizations' faith-driven missions and political advocacy. Governor DeSantis, the Cabinet, and the Chief of Domestic Security (who, as FDLE's executive director, is appointed by

the Governor and Cabinet and serves at their pleasure) speak with one voice on this issue.

107. The Governor and Cabinet's September 29, 2026 vote to approve the designation of CAIR and CAIR-Florida as DTOs, despite the absence of any evidence supporting such a designation, is the culmination of a longstanding effort by Governor DeSantis to penalize Plaintiffs for their First Amendment-protected views, speech, and advocacy and to marginalize their voices in public discourse.

A. Governor DeSantis's and the Cabinet's Hostility Toward Islamic Religious Practices and Muslim Civil Rights Advocacy, Including by CAIR and CAIR-Florida

108. Since at least 2023, Florida officials, including Governor DeSantis and the Cabinet, have expressed hostility toward Islamic religious practices and Muslim civil rights advocacy. Plaintiffs' advocacy for Palestinian human rights, their speech explaining that Sharia is a moral and spiritual framework that is consistent with American values and countering disinformation about it, and their opposition to state efforts to restrict freedom of expression have placed Plaintiffs in direct and public conflict with Governor DeSantis and the Cabinet. Likewise, CAIR and CAIR-Florida's advocacy against Islamophobia and anti-Muslim discrimination have placed them in direct and public conflict with Governor DeSantis and Cabinet members and positions they have taken regarding Muslim

civil rights, religious freedom, and religious tolerance. This hostility toward Plaintiffs' religious views, speech, and advocacy continues today.

i. Hostility to Palestinian Human Rights

109. In October 2023, Governor DeSantis publicly stated that the United States should not accept Palestinian refugees from Gaza because they were "all antisemitic." That same month, Florida officials issued a memorandum ordering the deactivation of SJP chapters in the State University System of Florida. The directive was issued by the Chancellor of the State University System in consultation with Governor DeSantis, who previously had publicly called for the student groups to be banned. As noted above, CAIR and CAIR-Florida brought a suit against Florida officials, including Governor DeSantis, challenging the directive as unconstitutional. *See Students for Justice in Palestine at the Univ. of So. Fla. v. DeSantis*, No. 1:23-cv-281 (N.D. Fla. 2023).

110. In November 2023, CFO Ingoglia, in his previous role as a state senator, introduced SB 470, a bill designed to strip post-secondary education benefits from students who were found to "promote[] a foreign terrorist organization." He introduced the bill in the wake of pro-Palestinian protests on Florida university campuses in 2023.

111. In January 2024, Governor DeSantis's presidential campaign website referred to his efforts to deactivate SJP chapters. Specifically, he stated that his

administration had "directed Florida universities to enforce the law and terminate student chapters, such as National Students for Justice in Palestine (National SJP), that support Hamas' terrorism." Consistent with these statements, Governor DeSantis publicly called for SJP chapters at Florida universities to be banned based on their expressive activity and viewpoints.

ii. Hostility to Islam and to Plaintiffs' Speech about Islam and Sharia

112. Florida officials, including Governor DeSantis and the Cabinet, have demonstrated hostility to Islam, to Plaintiffs' speech about Islam, and to Plaintiffs' speech about Sharia in particular. CAIR's public materials explain that Sharia is not a threat. In its educational materials, CAIR explains that when Muslims pray to God five times a day, donate to charity, fast in Ramadan, or speak up against injustice, among many other practices, they are observing Sharia—just as Jews observe Halakha and Catholics abide by canon law. Yet Florida officials, including Governor DeSantis and the Cabinet, have sought to falsely portray Sharia as a dire threat to Floridians that must be suppressed.

113. In November 2023, during a nationally televised presidential debate, Governor DeSantis referred to efforts to combat Islamophobia as addressing "so-called Islamophobia" and stated that harassment of Muslims in the United States was not a real issue. That is false, as CAIR has explained in its public advocacy materials.

114. On October 8, 2025, in a post on X (formerly known as Twitter), Governor DeSantis endorsed HB 119 (the "No Shari'a Act"), which had been filed that same day. HB 119's sponsor, Representative Hillary Cassel (who also sponsored HB 1471 and HB 1473), stated that "Sharia law is incompatible with our values and our principles here in the United States."

115. On October 14, 2025, CAIR and CAIR-Florida in a joint press release publicly opposed the "No Shari'a Act" and Governor DeSantis's endorsement of it. In that release, both organizations sharply criticized Governor DeSantis's support for the bill, including by characterizing HB 119 as a discriminatory and anti-Muslim measure, condemning Governor DeSantis's endorsement as harmful to religious freedom, and calling on Florida lawmakers and the public to reject the bill. The release expressly criticized Governor DeSantis personally and politically, challenged his priorities and leadership, and urged continued public opposition.[8]

116. According to an October 27, 2025 Florida Phoenix article, all three members of the Cabinet—Attorney General Uthmeier, CFO Ingoglia, and Commissioner Simpson—questioned the legality of "steer[ing] taxpayer-funded

[8] *See* Press Release, CAIR & CAIR-Florida, *Tell Ron DeSantis to Stop Wasting Time with Israel First Political Stunts Like 'No Sharia Act'* (Oct. 14, 2025), https://perma.cc/6AYH-UL7V (describing HB 119 as "disgraceful and bigoted," rooted in "lies, fearmongering, and political distraction," calling Governor DeSantis's endorsement "political cowardice and moral failure," and urging public opposition).

scholarships to private Islamic schools that they contend undermine 'Western' values." Their criticisms rested on the schools' alleged connection to Sharia law. For example, Uthmeier stated that "Sharia law seeks to destroy and supplant the pillars of our republican form of government and is incompatible with the Western tradition." Simpson amplified Uthmeier's post on X. Ingoglia also announced that he was "looking into" a basis to conduct an audit against the schools.

117. However, as Plaintiffs explain in their public advocacy, Governor DeSantis's and the Cabinet's assertions rest on false stereotypes about Islam and Sharia. In particular, Plaintiffs have emphasized that Sharia requires Muslims to comply with the laws of the country in which they reside.

118. On December 1, 2025, through a post on X, Governor DeSantis shared a Fox News article about the death of a Muslim woman in the Netherlands, which suggested that her family allegedly targeted her for not wearing a hijab (or headscarf). Governor DeSantis's comment accompanying the article was, "The wages of sharia…," despite the article itself not referencing Sharia. As CAIR has explained in its public educational materials, Islam does not allow honor killings.

119. In March 2026, as part of HB 1471, the legislature passed a prohibition on the judicial application of religious law and what it refers to as Sharia law in particular. *See* Fla. Stat. § 2.05. No other religious law was identified by name in

the bill, and Governor DeSantis publicly championed the legislation as an "anti-Sharia" law.

120. On April 6, 2026, at a press conference held after Governor DeSantis signed HB 1471, he stood behind a podium bearing a "no" symbol superimposed over the words "SHARIA LAW"—reflecting Islamophobia, hostility to Plaintiffs' views, and opposition to the values of religious freedom and tolerance advocated by Plaintiffs.

121. Months earlier, on December 8, 2025, Governor DeSantis explicitly tied CAIR to a Sharia threat, saying that the legislature was working "to stop the creep of Sharia law, and I hope that they codify these protections for Floridians against CAIR and the Muslim Brotherhood in their legislation." On June 16, 2026, he described the bill as an "anti-Sharia bill . . . that allows law enforcement to identify and then we can ratify, the Governor and the Cabinet, designated terror organizations," such as the "Council of [sic] American Islamic Relations."

122. Attorney General Uthmeier has also made clear that practicing Muslims are not welcome in Florida. Appearing on Newsmax on April 8, 2026, Uthmeier said that he viewed HB 1471 as a response to "a surge of Muslims in this country that are pushing Sharia law, trying to influence our kids, and trying to educate the undermining of our republican ideals, trying to attack western civilization." Even if "we're not Dearborn, Michigan," he said—referring to the American city with the

largest share of Muslim residents—"it's important here for us to always be proactive."

123. Governor DeSantis and the Cabinet have knowledge of, disagree with, disapprove of, and are hostile to Plaintiffs' religious views and advocacy for religious freedom and tolerance; Plaintiffs' efforts to educate the public on the meaning of Sharia and its compatibility with American values; Plaintiffs' pro-Palestinian political advocacy; and Plaintiffs' public expression and dissemination of those views through speech, association, and petitioning activity.

B. The State Executive Defendants Planned To Designate Plaintiffs Long Before the Vote

124. On December 8, 2025, Governor DeSantis issued Executive Order 25-244, titled "Protecting Floridians from Radical Islamic Terrorist Organizations."

125. In a post on X the same day, Governor DeSantis announced that "Florida is designating the Muslim Brotherhood and the Council on American-Islamic Relations (CAIR) as foreign terrorist organizations. Florida agencies are hereby directed to undertake all lawful measures to prevent unlawful activities by these organizations, including denying privileges or resources to anyone providing material support."

126. The Executive Order purported to designate CAIR as a "terrorist organization," as defined in Florida Statutes § 874.03, and to impose sweeping consequences on CAIR and those who had provided it "material support."

127. The Executive Order cited four allegations as supposedly justifying its designation of CAIR: (1) CAIR was founded by the "Palestine Committee" in 1994; (2) in the words of unspecified "persons affiliated with CAIR," CAIR was "founded by persons connected to the Muslim Brotherhood" as "an official U.S. cover" to "conceal ties to Islamic extremist groups"; (3) CAIR was named as an unindicted coconspirator (but never charged) in a terrorism-financing case involving the Holy Land Foundation that concluded nearly two decades ago; and (4) "individuals associated with CAIR have been convicted of providing, and conspiring to provide, material support to designated terrorist organizations."

128. The Executive Order failed to identify a single violent or dangerous act allegedly committed by CAIR.

129. The Executive Order failed to acknowledge that CAIR has never been charged with or convicted of any crime, let alone one related to terrorism.

130. The Executive Order failed to acknowledge that a federal court ruled that CAIR's public naming as an unindicted coconspirator in the Holy Land Foundation prosecution violated its Fifth Amendment rights because it was "unaccompanied by any facts providing a context for evaluating the basis for the United States Attorney's opinion" and "[n]either CAIR nor the other unindicted co-conspirators ha[d] been charged with a crime and" so "ha[d] no judicial forum in which to defend against the accusation." *United States v. Holy Land Found. for*

Relief & Dev., 2009 WL 10680203, at *5 (N.D. Tex. July 1, 2009), *aff'd in part, rev'd in part on other grounds*, 624 F.3d 685 (5th Cir. 2010).

131. The Executive Order's purported justification for designating CAIR as a "terrorist organization" relies entirely on guilt-by-association allegations.

132. The Executive Order's purported designation of CAIR as a terrorist organization within the meaning of Florida Statutes § 874.03 lacks a factual basis. CAIR has not engaged in and does not engage in "terrorism" or "terrorist activity."

133. The allegations asserted against CAIR in Executive Order 25-244 could not justify criminal charges, much less a criminal conviction, of any state or federal terrorism or terrorism-financing laws. Indeed, despite accusing CAIR of engaging in criminal conduct and falsely labeling it as a "terrorist organization," Defendants have not sought to charge CAIR with a crime—nor could they, in good faith.

134. On December 15, 2025, CAIR and CAIR-Florida filed a lawsuit challenging Executive Order 25-244 as violating their constitutional rights under the First and Fourteenth Amendments. *CAIR-Found., Inc. v. DeSantis*, No. 4:25-cv-516-MW/MJF (N.D. Fla. 2025). On March 4, 2026, the district court preliminarily enjoined enforcement of the Executive Order against CAIR, holding that CAIR was likely to succeed in establishing that the Executive Order impermissibly attempted to coerce third parties into suppressing CAIR's speech, in violation of

the First Amendment. *CAIR-Found., Inc. v. DeSantis*, 822 F. Supp. 3d 1263, 1273, 1282 (N.D. Fla. 2026).

135. Governor DeSantis also has publicly revealed that, in addition to punishing CAIR and CAIR-Florida for their protected speech and advocacy, one of the purposes of the Executive Order was to obtain and access CAIR's financial records and internal information through discovery in a lawsuit by CAIR challenging the Executive Order. For example, after CAIR announced its intent to respond to the Executive Order, Governor DeSantis posted on X that "I look forward to discovery—especially the CAIR finances. Should be illuminating!"

136. On December 9, 2025, when asked by reporters about Plaintiffs' anticipated lawsuit, Governor DeSantis again stated that he welcomed the litigation not to defend the Executive Order's legality, but because it would allow the state to obtain CAIR's financial records through discovery. He repeatedly emphasized that CAIR's finances were, in his view, "really significant." He also asserted that "a lot of it is financial" and expressed that a lawsuit would enable the state to "get a lot of information" it does not have and otherwise could not obtain.

137. Governor DeSantis's public statements and actions confirm that the Executive Order was issued for retaliatory and improper purposes: to penalize Plaintiffs because he disapproves of the content and viewpoint of their religious and pro-Palestinian advocacy; to chill and deter constitutionally protected speech,

association, and petitioning activity; to coerce third parties into suppressing Plaintiffs' advocacy by deterring them from associating or cooperating with Plaintiffs; to impair the exercise of Plaintiffs' other constitutional rights; and to attempt to justify intrusive government surveillance and investigation of Plaintiffs that would be otherwise improper and unavailable to Defendants and the state.

138. Governor DeSantis's public statements and actions further establish that he has pre-judged the decision regarding CAIR and CAIR-Florida's designations under the DTO regime and intends to approve them.

C. The State Executive Defendants Are Using the DTO Regime to Punish Plaintiffs for Their Speech and Advocacy

139. On April 6, 2026—after the Executive Order was preliminarily enjoined as unconstitutional—Governor DeSantis signed HB 1471 and HB 1473 into law. Statements from legislators who supported the bills make clear that, in creating the DTO regime, the legislature intended to endorse Governor DeSantis's actions and Executive Order targeting Plaintiffs while adding a veneer of process and even harsher punishments. For example, Representative Hillary Cassel, the bills' sponsor, explained that she supported the Executive Order designating CAIR and the Muslim Brotherhood as terrorist organizations. HB 1471, in her view, would "create a due process" for organizations to be designated; but she later

acknowledged that it would not be "a judicial process."[9] Similarly, Senator Erin Grall, the sponsor of the companion Senate bill, characterized it as "seek[ing] to bring a process" to Governor DeSantis's Executive Order designations.[10] Senator Grall also acknowledged that, in light of the preliminary injunction, "there is an open question about what our governor will be able to do through executive order."[11]

140. In the weeks leading up to the passage of HB 1471 and HB 1473, and in the months afterward, Governor DeSantis's and Cabinet members' public statements demonstrate that they view the DTO regime's components as a means to target groups whose viewpoints they disfavor, including CAIR and CAIR-Florida.

141. Governor DeSantis and Attorney General Uthmeier's public statements further confirm that they pre-judged CAIR and CAIR-Florida as "terrorist organizations" before approving their designations.

142. On December 8, 2025, the same day he signed the Executive Order, Governor DeSantis foreshadowed Florida's DTO regime, making clear that he

---

[9] Fla. H. Judiciary Comm., 2:28:55–29:16 (Feb. 26, 2026) (statement of Rep. Cassel) https://www.flhouse.gov/VideoPlayer.aspx?eventID=11180; Fla. H. Comm., 3:41:56–42:00 (Mar. 3, 2026) (statement of Rep. Cassel) https://www.flhouse.gov/VideoPlayer.aspx?eventID=11197.

[10] Fla. S. Judiciary Comm., 1:25:08–25:25 (Feb. 3, 2026) (statement of Sen. Grall), https://www.flsenate.gov/media/VideoPlayer/6080.

[11] Fla. S. Session, 3:26:43–27:04 (Mar. 5, 2026) (statement of Sen. Grall), https://www.flsenate.gov/media/VideoPlayer/6273.

intended it to reinforce his designation of CAIR under the Executive Order and tying the organization to a Sharia "threat." In a post on X, he remarked, "Members of the FL Legislature are crafting legislation to stop the creep of sharia law, and I hope that they codify these protections for Floridians against CAIR and the Muslim Brotherhood in their legislation."

143. What Governor DeSantis did not publicly disclose is that, according to emails obtained by the Miami Herald, his office had produced the original draft of SB 1632, HB 1471's Senate companion, which proposed the creation of the DTO designation regime. The Executive Office of the Governor's organizational representative confirmed during a Rule 30(b)(6) deposition in the litigation regarding Executive Order 25-244 that Governor DeSantis's office was "heavily involved" in "the creation and passing of [HB] 1471."

144. In January 2026, through an X post, Attorney General Uthmeier put the city commission of Coral Springs, Florida, "on notice" that "state and local resources cannot be used by any organization affiliated with CAIR." Following Attorney General Uthmeier's post, the South Florida Muslim Federation dissociated from CAIR-Florida, which had been a member of the Federation since its inception. CAIR-Florida was unable to take part in the Federation's annual conference in Coral Springs, of which CAIR-Florida had been a sponsor. CAIR-

Florida employees were also forced to withdraw from planned participation in multiple conference panels.

145. On February 1, 2026, Attorney General Uthmeier publicly commented on CAIR's designation under the Executive Order, posting: "In Florida, we take action! We will always oppose terrorist organizations. Thanks to [Governor DeSantis] for designating CAIR and the Muslim Brotherhood as foreign terrorist organizations under state law."

146. One day later, Attorney General Uthmeier "requested law enforcement to be on heightened alert for any possible security threats" related to CAIR's appearance at Muslim Day at the Florida Capitol, an annual civic engagement event. He wrote on X: "CAIR, a designated foreign terrorist organization under state law, has called for a presence around the Florida Capitol today . . . [T]errorist organizations are barred from using any and all state resources, and we expect the governor's executive order to be upheld."

147. Even after the Executive Order was preliminarily enjoined, Governor DeSantis continued to refer to CAIR publicly as a designated terrorist organization.

148. At Governor DeSantis's April 6, 2026, press conference on HB 1471, Governor DeSantis referenced CAIR's supposed designation as a foreign terrorist organization under the Executive Order and reiterated that "CAIR was an unindicted coconspirator in the largest terror-financing trial in American history,

the Holy Land Foundation"—repeating the Executive Order's misleading justification for CAIR's designation. Governor DeSantis also suggested that CAIR's affiliates should not benefit from public funds: "If there's a school that's allied with CAIR, should you have any of your money going to things like that?"

149. At the same event, Lieutenant Governor Jay Collins acknowledged that HB 1471 and HB 1473 are designed to discriminate on the basis of ideology: "[W]e will designate, defund, and dissolve people who don't stand for our values," Collins said.

150. In an April 6, 2026, post on X announcing his signing of HB 1471, Governor DeSantis shared a graphic with the header, "BANNING SHARIA LAW." Underneath the header, the text identified CAIR's designation under the Executive Order as part of "Florida's record" on the issues the law was meant to advance. Reposting the graphic from his personal X account, Governor DeSantis echoed his December 9, 2025, post that anticipated legislative ratification of CAIR's designation: "We have a responsibility to defend and reinvigorate Western Civilization and that means protecting against creeping sharia in all its forms."

151. During an April 7, 2026, interview with Sean Hannity on Fox News, Governor DeSantis described HB 1471 as a solution to "the broader issue of not allowing Islamist groups to get public money from things in Florida." He framed

the purpose of the DTO regime as "identify[ing] groups that are supporting these [Islamist] organizations" so as not to spend "one cent for jihad."

152. On April 8, 2026, Attorney General Uthmeier discussed HB 1471 during a Newsmax interview. As justification for the law, he stated, "[I]t's important here for us . . . to recognize that we do have a surge of Muslims in this country that are pushing sharia law, trying to influence our kids, and trying to educate the undermining of our republican ideals, trying to attack western civilization." With respect to the DTO regime, Uthmeier claimed:

> We have heard reports of different Islamic groups working with foreign terrorist organizations and trying to build communities and infiltrate schools here in the state of Florida, especially in the Tampa area. . . . [W]e're going to investigate and where the state identifies that nonprofit groups and schools might be tied to terrorist organizations, we're going to shut down their opportunity to get many privileges here in the state of Florida.

153. At an April 24, 2026, press conference discussing HB 1471 and HB 1473, Governor DeSantis affirmed that the bills would target and apply to CAIR. Governor DeSantis stated that he had "signed some very important legislation recently banning any imposition of Sharia law" and that "we're not doing that—no use of state funds to go to any entity that is affiliated with groups like CAIR or the Muslim Brotherhood. We have designated them as foreign terrorist organizations."

154. On April 6, 2026, and again on June 16, 2026, Governor DeSantis publicly confirmed that he intended to ensure that CAIR would be designated once the DTO regime went into effect on July 1, 2026. In June, he stated:

> I signed the . . . anti-Sharia bill earlier this year that allows law enforcement to identify and then we can ratify, the governor and cabinet, designated terror organizations. And so you have some of these like the Muslim Brotherhood, the Council of [sic] American Islamic Relations, like that, no doubt . . . we'll be doing that after July 1 when that legislation takes effect.

155. As Governor DeSantis's statements make plain, he, the Chief of Domestic Security, and the Cabinet speak with one voice on this issue: they treat Plaintiffs as enemies on the basis of their protected speech and advocacy, conflate Plaintiffs with a Sharia "threat," and always intended to designate Plaintiffs as domestic terrorist organizations once the DTO regime went into effect.

IV. Plaintiffs' Designation Under the DTO Regime

A. The Initial Threat of Designation

156. Even before HB 1471 went into effect, the threat of designation began to injure Plaintiffs.

157. Plaintiffs understood that continuing to operate in Florida after being designated would expose them, their personnel, and their community stakeholders to extremely serious criminal punishments and civil liability. They had no choice but to begin preparing in advance. This required Plaintiffs to forgo speech they

would otherwise have made and to divert resources from their ordinary administrative, fundraising, and advocacy work.

B. The First Notice of Intent and Pause for Emergency Rulemaking

158. On July 1, 2026, Governor DeSantis's office issued a press release in which he "announced the intent to designate" three "organizations" under HB 1471, including the "Council on American-Islamic Relations (CAIR)." "Upon confirmation by the Florida Cabinet," the press release said, "these designations will carry the full force of state law. State and local governments will be prohibited from providing taxpayer funding, contracts, or other public support to designated organizations. Public colleges, universities, school districts, and other publicly funded institutions will be prohibited from using public resources to support or promote designated organizations. Organizations designated under Florida law may also be subject to dissolution as provided by statute, and individuals who knowingly provide material support or resources to designated organizations will face criminal penalties established under Florida law."

159. That same day, Governor DeSantis held a press conference with other Florida executive officials regarding the DTO regime.

160. During the press conference, Governor DeSantis noted that he had designated CAIR as a "terror organization" under the Executive Order. He then explained, referring to the DTO regime, "We did need to have more of a legal

structure to be able to add teeth to these designations, and the Legislature responded, and I signed that legislation earlier this year." The purpose of the DTO regime, the Governor said, was to "prevent any creep of Sharia law" and "put the state on the offense against terrorist organizations."

161. "We're going to move forward," Governor DeSantis said, "and we're going to make sure that we're very robust in doing this." He added, "My office and the Cabinet are poised to officially designate the first slew of terrorist organizations under the new law."

162. The forthcoming designations, the Governor said, would constitute "a reaffirmation of my prior Executive Order for the Muslim Brotherhood and the Council of [sic] American-Islamic Relations."

163. The Governor noted that designation under the DTO regime "requires ratification by the Cabinet," and he promised to "get that done very, very quickly." "We don't have a regularly scheduled Cabinet meeting in July," the Governor said, "but I think we're going to be able to . . . jump on a call and do an emergency meeting to be able to ratify this, and then, you know, off to the races."

164. On July 1, 2026, at 2:48 p.m., Governor DeSantis posted a graphic on X. "Today," the graphic said, "Governor DeSantis announced the first terrorist organization designations under Florida law. The notices of intent include: Council on American-Islamic Relations (CAIR) . . . ."

165. Governor DeSantis previously admitted in public filings that he also considers CAIR-Florida a terrorist organization and that it was also covered by Executive Order 25-244. *CAIR-Foundation, Inc. v. DeSantis,* No. 4:25-cv-516-MW/MJF (N.D. Fla. Feb. 11, 2026) ("*CAIR I*"), ECF No. 37 at 16 n.45. Accordingly, there was a substantial risk that CAIR-Florida would imminently be designated as well.

166. On July 1, Plaintiffs filed suit in the Northern District of Florida, challenging the DTO regime and Defendants' implementation of it. *CAIR-Foundation, Inc. v. DeSantis*, No. 4:26-cv-315-MW/MJF (N.D. Fla.) ("*CAIR II*"). On July 2, Plaintiffs moved for a temporary restraining order and preliminary injunction. *CAIR II*, ECF No. 19. On July 6 and 7, the court denied Plaintiffs' motions for a temporary restraining order. It noted, among other things, that it required further briefing and that Plaintiffs' "asserted harms are based on the assumption that Defendants will hold a vote tomorrow—an occurrence which is no certainty—and that this vote will result in ratifying the terrorist designation—another assumption this Court cannot make." *CAIR II*, ECF Nos. 26, 28.

167. Shortly thereafter, Defendants informed Plaintiffs that they intended to promulgate an emergency rule regarding the DTO regime and that accordingly, they would not move forward with the designation process until after the new rule

became effective. Defendants promulgated the temporary regulation on September 11, 2026.

C. The Approval and Imminent Publication of the Designations

168. By agreement of the parties, the first possible day on which FDLE could mail the notice of intent was September 15, 2026. FDLE mailed the notice of intent to Plaintiffs that day. Plaintiffs received the notice of intent on September 18.

169. The notice directed Plaintiffs to submit written objections and stated that a public meeting to vote on Plaintiffs' designation would take place on September 29, 2026 at 9:00 a.m.

170. On September 25, 2026, Plaintiffs submitted written objections to the notice of intent.

171. On September 29, 2026, the Governor and Cabinet held the public meeting described in the notice of intent.

172. Plaintiffs' counsel attended the meeting to present argument on behalf of Plaintiffs. As noted above, the Emergency Rule states that "The Governor and Cabinet may permit, at their sole discretion, the organization to appear at the meeting and present argument, for a period of time specified by the Governor and Cabinet, as to why the information and documentation the organization previously submitted counsels against the designation." 11RER26-8(2)(b). But the Governor and Cabinet refused to give counsel an opportunity to be heard.

173. Before the meeting began, Plaintiffs' counsel identified herself to a Cabinet aide and requested the opportunity to speak at the meeting. Although the aide said that she or another person would follow up with Plaintiffs' counsel, no one did. During the meeting, after Commissioner Glass finished speaking, and as Governor DeSantis began to move to approve the designations, Plaintiffs' counsel stood up and again requested an opportunity to speak on behalf of CAIR and CAIR-Florida. Governor DeSantis ignored counsel.

174. Although Florida Statutes § 943.03102 envisions that the Governor and Cabinet "hold a meeting to consider the notice of intent," their "consideration" was perfunctory: Commissioner Glass spoke briefly to note that Plaintiffs satisfied the criteria under Section 943.03102, and Governor DeSantis immediately moved to approve the designations "[u]pon reviewing the information submitted and the recommendations" of Commissioner Glass.

175. The motion was seconded, and the Governor and Cabinet approved the designations. The entire approval process took about 30 seconds.

176. Two days later, on October 1, the Court dismissed Plaintiffs' first lawsuit suit for lack of standing. *See CAIR II*, ECF No. 69. Although Defendants acknowledged that Plaintiffs had standing following the approval of their designations, *CAIR II*, ECF No. 68 at 2–3, the Court concluded that it was required

to evaluate Plaintiffs' standing as of July 1, and that Plaintiffs had lacked standing on that date.

D. Plaintiffs' Ongoing and Imminent Injuries

177. The DTO regime requires the Chief of Domestic Security to publish Plaintiffs' designations in the Florida Administrative Register "[w]ithin 7 days after approval by the Governor and Cabinet." Fla. Stat. § 943.03102(2)(e). By agreement of the parties, the Chief of Domestic Security will publish Plaintiffs' designations in the Florida Administrative Register no earlier than October 6, 2026.

178. Absent judicial intervention, Plaintiffs' designations will become effective on November 5, 2026.

179. Plaintiffs face a substantial risk that, once their designations become effective, the State Attorney Defendants and Office of Statewide Prosecution will seek to enforce the myriad criminal and civil penalties under the DTO regime against Plaintiffs. For example, at the Governor's July 1 press conference, Brad McVay, Florida's statewide prosecutor, said, "We stand here committed to . . . prosecute any individual or group associated with terrorist activity."

180. The DTO regime and the State Executive Defendants' targeting of Plaintiffs under the DTO regime has harmed, is harming, and will harm Plaintiffs. For example:

a. In anticipation of the vote on their designation, CAIR-Florida has had to turn away prospective legal clients and cancel its annual fundraising galas, which were scheduled for this fall. This took time and resources that CAIR-Florida would have otherwise used to engage in advocacy and other First Amendment-protected activity.

b. CAIR had to switch information-technology network services after the Florida-based company it used terminated its contract with CAIR in early July. This took time and resources that CAIR would have otherwise used to engage in advocacy and other First Amendment-protected activity.

c. Now that their designations have been approved, both CAIR and CAIR-Florida must spend time winding down operations and diverting resources from other First Amendment-protected activity in which they might have engaged absent the need to prepare for their designation becoming effective.

d. Being designated as a "domestic terrorist organization" and having that designation published in the Florida Administrative Register and on the FDLE website is inherently stigmatizing; it undermines the trust and credibility that CAIR and CAIR-Florida have built

over the lifetime of their existence with donors, community members, volunteers, and supporters. CAIR and CAIR-Florida's trust and credibility go beyond monetary value and are integral to their ability to carry out their missions.

181. On the date Plaintiffs' designations become effective, Plaintiffs will be unable to continue their political advocacy, receive charitable giving, provide legal services (and may even need to discontinue providing legal services to civil rights clients in court), and conduct other organizational activity in Florida, including but not limited to their speech and association. For example:

a. Plaintiffs will be unable, within Florida, to further engage in transactions fundamental to their operations—*e.g.*, withdrawing funds from, and depositing funds in, bank accounts; renting office space; and organizing public events.

b. Any employee, officer, or director of either Plaintiff who reports to work or otherwise knowingly contributes to either entity's operation, and who is subject to Florida's criminal jurisdiction, will face a substantial risk of severe criminal punishment under Florida law for providing "material support" to a "designated terrorist organization." Fla. Stat. § 775.33(3).

c. Plaintiffs; any employee, officer, or director of either Plaintiff; and any third party who knowingly "initiates, organizes, plans, finances, directs, manages, or supervises" activity with the intent to further Plaintiffs' interests, and is subject to Florida's criminal jurisdiction, will face a substantial risk of severe criminal punishment, including life in prison, under the CGPA. Fla. Stat. § 874.10.

d. Plaintiffs may be unable, within Florida, to provide legal services and advice to members of their communities.

e. Persons or entities providing services to either Plaintiff—such as banks and other financial institutions; internet, telephone, and technology service providers (including email and data storage providers); vendors; retirement and other benefit administrators; accountants; financial advisors; and legal counsel—will face a substantial risk of severe criminal punishment under Florida law for providing "material support" to a "designated terrorist organization." Fla. Stat. § 775.33(3).

182. On the date CAIR-Florida's designation becomes effective, CAIR-Florida's exercise of the corporate powers conferred on not-for-profit organizations by Florida law will be grievously impaired. These include, among others, CAIR-

Florida's power to: "[m]ake contracts and guaranties"; "[c]onduct its affairs, carry on its operations, and have offices and exercise the powers granted by this chapter in any state, territory, district, or possession of the United States or any foreign country"; and "exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is organized." Fla. Stat. § 617.0302.

183. On the date CAIR's designation becomes effective, CAIR's exercise of the corporate powers conferred on not-for-profit corporations under D.C. law will be significantly impaired. These include, among others, CAIR's power to "[c]onduct its activities, locate offices, and exercise the powers granted by this chapter within or without the District." D.C. Code § 29-403.02(10).

184. Designation will, at minimum, substantially hinder Plaintiffs' attempts to seek judicial relief and clear their names—including in this litigation.

a. The DTO regime (i) criminalizes the knowing provision of material support to designated organizations and (ii) does not expressly exempt employees, directors, or other personnel who act on behalf of their organizations for the purpose of pursuing the organizations' rights and clearing their names in federal or state court—by, for example, coordinating with legal counsel, providing sworn declarations, or providing live testimony. Fla. Stat. § 775.33(3).

b. The DTO regime (i) criminalizes initiating, organizing, planning, financing, directing, managing, or supervising activity committed with the intent to benefit promote or further the interests of a designated "domestic terrorist organization" and (ii) contains no express exemption authorizing organizations or their personnel to engage in activities incident to challenging the organization's designation or defending the organization in a criminal prosecution—by, for example, coordinating with legal counsel, providing sworn declarations, or providing live testimony. Fla. Stat. § 874.10.

185. CAIR and CAIR-Florida associate with one another and work together and independently to fulfill their mission by engaging in advocacy on cultural, social, nonpartisan political, and civic issues of public concern to American Muslims. This advocacy includes initiating and representing clients in litigation, engaging in public policy advocacy, conducting trainings, creating and publishing educational materials and hosting educational events, and leading community organizing efforts.

V. The Federal Government's Role in the Designation of Terrorist Organizations, Foreign Affairs, National Security, and Foreign Commerce

186. Florida's new statutory regime for designating domestic terrorist organizations is also incompatible and in conflict with the federal government's exclusive powers over foreign affairs, national security, and foreign commerce, and with the federal regimes governing the designation and sanctioning of terrorist organizations. As a result, the DTO regime and its application to Plaintiffs is preempted.

187. The federal government manages foreign affairs, national security, and foreign commerce for the United States, and the intersection thereof, including the designation and sanctioning of terrorist organizations. The federal government exercises these powers through two longstanding regimes relevant here: (i) the regime for designating Specially Designated Global Terrorists ("SDGTs"), which authorizes the Secretary of State and the Secretary of the Treasury to designate and impose sanctions on certain foreign and domestic organizations and individuals, i.e., domestic organizations determined to have prohibited foreign relationships or activities; and (ii) the regime for designating Foreign Terrorist Organizations ("FTOs"), which authorizes the Secretary of State to designate and impose additional sanctions on foreign organizations based on statutory criteria—a

determination that also triggers criminal prohibitions on material support by both domestic and foreign organizations and individuals.

A. The SDGT Regime

188. The National Emergencies Act ("NEA"), Pub. L. No. 94-412, § 201, 90 Stat. 1255 (codified as 50 U.S.C. § 1621), enacted in 1976, and the International Emergency Economic Powers Act ("IEEPA"), Pub. L. No. 95-223, § 201, 91 Stat. 1626 (codified as 50 U.S.C. § 1701), enacted in 1977, give the president broad authority to declare a national emergency with respect to a specified threat, and to take action in response to it.

189. Invoking these authorities after the September 11th attacks, President Bush issued Executive Order 13224 in 2001 ("E.O. 13224"), asserting the power to impose sanctions on foreign persons determined to be engaged in acts of terrorism that "threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States," as well as on domestic organizations and individuals determined to be acting for or on behalf of such foreign persons. Exec. Order No. 13224, 66 Fed. Reg. 49,079 (Sept. 23, 2001).

190. This designation and sanctions authority is now known as the SDGT regime. E.O. 13224 and its implementing regulations prohibit transactions with, and authorize the freezing of all assets of, any organization or individual the government designates a "specially designated global terrorist." 31 C.F.R.

§§ 594.101–.901. E.O. 13224, as amended, delegates this designation power to the Secretary of the Treasury and the Secretary of State, in consultation with the Secretary of Homeland Security and Attorney General. Exec. Order No. 13284, 68 Fed. Reg. 4075 (Jan. 23, 2003); Exec. Order No. 13372, 70 Fed. Reg. 8499 (Feb. 16, 2005). The Secretary of Treasury determines the designations of domestic organizations or individuals, in consultation with the Secretary of State, the Secretary of Homeland Security, and the Attorney General. Federal officials recognize that designating domestic entities requires caution because domestic groups and individuals have constitutional rights, including under the First, Fourth, and Fifth Amendments.

191. In the USA PATRIOT Act of 2001, Congress amended IEEPA to permit the Secretary of the Treasury to block the assets of an entity pending its investigation as an SDGT. Pub. L. No. 107-56, § 106, 115 Stat. 272 (codified as amended 50 U.S.C. § 1702(a)(1)(B)).

192. Subsequent executive orders have modified and expanded E.O. 13224. The most significant is Executive Order 13886 ("E.O. 13886"), issued by President Trump in 2019, which expanded some of the criteria for designating SDGTs and "moderniz[ed]" the federal sanctions regime for combatting terrorism. Exec. Order No. 13886, 84 Fed. Reg. 48041 (Sept. 9, 2019) (promulgating new executive order

"to further strengthen and consolidate sanctions to combat the continuing threat posed by international terrorism").

193. The Office of Foreign Assets Control ("OFAC") within the Department of Treasury has issued regulations, titled "Global Terrorism Sanctions Regulations," to implement E.O. 13224. *See* 31 C.F.R. §§ 594.101–.901. It has amended those regulations on multiple occasions, including in response to subsequent executive orders like E.O. 13886. OFAC derives its authority from a variety of federal laws regarding economic sanctions and embargoes, particularly IEEPA. OFAC administers and enforces economic regulations and sanctions, including SDGT sanctions.

194. One of OFAC's primary duties is to prevent "prohibited transactions," which it defines as "trade or financial transactions and other dealings in which U.S. persons may not engage unless authorized by OFAC or expressly exempted by statute." OFAC administers and enforces economic sanctions programs against countries, businesses, and groups of individuals, using the blocking of assets and trade restrictions to accomplish foreign policy and national security goals. It maintains and regularly updates several sanctions lists identifying countries, entities, and individuals considered to be threats to national security by the federal government, including the SDGT list.

195. The SDGT regime authorizes the designation of both foreign and domestic groups, as well as individuals, if specified criteria are met. 31 C.F.R. §§ 594.201.

196. The executive branch may designate domestic and foreign groups as SDGTs, and impose sanctions, for a range of terrorism-related activities. 31 C.F.R. § 594.201(a)(1)–(11). Among other bases, the Secretary of the Treasury may designate domestic and foreign groups as SDGTs upon a determination that the group has "materially assisted"; "sponsored"; "provided financial, material, or technological support for"; or provided "goods or services" in support of "an act of terrorism." 31 C.F.R. § 594.201(a)(3)(iii); *see* 31 C.F.R. § 594.311 (defining "terrorism"). Similarly, the Secretary of the Treasury may designate domestic and foreign groups as SDGTs upon a determination that the group is "owned, controlled, or directed by"; has "acted or purported to act for or on behalf of, directly or indirectly"; "own[s] or control[s], directly or indirectly"; or has "participated in training related to terrorism provided by"—an entity that is already blocked under certain SDGT regulations. 31 C.F.R. § 594.201(a)(3)(i), (ii), (iv). The SDGT regime also permits designation if the Secretary of the Treasury determines that any domestic or foreign group has "attempted or conspired to engage in" any of the preceding activities. 31 C.F.R. § 594.201(a)(3)(vi). Foreign

groups and individuals may be designated if they are determined to meet other conditions. 31 C.F.R. § 594.201(a)(1)–(11).

197. Groups and individuals designated as SDGTs are "blocked," meaning transactions involving their property and interests in property are broadly prohibited. 31 C.F.R. § 594.201(a). As noted, groups and individuals who are under investigation for possible designation as SDGTs can also be blocked. 50 U.S.C. § 1702(a)(1)(B).

198. Blocked groups and individuals are generally prohibited from accessing money or other forms of property: their assets cannot be transferred, withdrawn, "or otherwise dealt in." 31 C.F.R. § 594.201(a). Additionally, under the SDGT regime, U.S. law requires other U.S. people and entities to obtain a government license before engaging in "any transaction or dealing" with blocked groups and individuals. This includes not only providing funds, goods, or services to—or for the benefit of—a blocked group or individual, but also receiving funds, goods, or services from a blocked group or individual. 31 C.F.R. § 594.204. No license is required for certain forms of legal defense.

199. Violating these prohibitions can lead to civil and criminal penalties. 50 U.S.C. § 1705(b), (c).

B. The FTO Regime

200. The federal FTO designation regime sits alongside the federal SDGT regime. Congress created the FTO designation regime in the Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA"). Pub. L. No. 104-132, 110 Stat. 1214. Since then, Congress has amended the FTO regime on multiple occasions—including in the USA PATRIOT Act, Pub. L. No. 107-56, § 805, 115 Stat. 377 (2001), and the Intelligence Reform and Terrorism Prevention Act, Pub. L. No. 108-458, § 7119, 118 Stat. 3801 (2004).

201. In AEDPA, Congress authorized the Secretary of State to determine whether a foreign organization is an FTO. To designate an organization as an FTO, the Secretary must determine that the organization meets three criteria: (1) the organization is foreign; (2) the organization engages in, or has the capability and intent to engage in, terrorist activity or terrorism; and (3) the organization's terrorism or terrorist activity threatens the security of U.S. nationals or the national security of the United States. 8 U.S.C. § 1189(a)(1); *see* 22 U.S.C. § 2656f(d)(2) (defining "terrorism"); 8 U.S.C. § 1182(a)(3)(B)(iii) (defining "terrorist activity"); 8 U.S.C. § 1182(a)(3)(B)(iv) (defining "engage in terrorist activity"); 8 U.S.C. § 1182(a)(3)(B)(vi) (defining "terrorist organization").

202. The consequences of FTO designation are severe. Even before an organization's designation goes into effect, the government may instruct U.S.

financial institutions to freeze the organization's assets. 8 U.S.C. § 1189(a)(2)(C). Once the organization is officially designated, its non-citizen members and representatives are barred from entering the United States. *Id.* §§ 1182(a)(3)(B)(i)(IV)–(V). Non-citizens already present in the United States may be detained and removed. *Id.* § 1227(a)(1)(A).

203. Perhaps most significantly, it is a federal crime for any entity or individual—domestic or foreign—to knowingly provide "material support" to an FTO. 18 U.S.C. § 2339B; *see* 18 U.S.C. § 2339A; 8 U.S.C. § 1189. Material support is defined to include providing property (tangible or intangible), resources, or services. 18 U.S.C. § 2339A; *see* 18 U.S.C. § 2339B; 8 U.S.C. § 1189. The criminal penalties for providing material support to an FTO include a fine of up to $500,000 and imprisonment for up to life. 18 U.S.C. § 2339B(a); 18 U.S.C. § 2339A(a); 18 U.S.C. § 3571.

204. As with the SDGT regime, OFAC has issued regulations, titled "Foreign Terrorist Organizations Sanctions Regulations," implementing the FTO regime. *See* 31 C.F.R. §§ 597.101–.901. It has amended those regulations on multiple occasions since Congress enacted the federal FTO regime in 1996. *See, e.g.*, 8 U.S.C. § 1189, *amended by*, Intelligence Reform and Terrorism Prevention Act, Pub. L. No. 108-458, § 7119, 118 Stat. 3801 (2004); USA PATRIOT Act, Pub.

L. No. 107-56, § 805, 115 Stat. 377. OFAC administers and enforces FTO sanctions.

205. The Department of Justice enforces the FTO regime's criminal prohibitions on material support, including against individuals and organizations in the United States.

C. The SDGT and FTO Regimes Reflect a Careful Balancing of Federal Interests

206. The SDGT and FTO regimes—in their scope, structure, and implementation—represent a deliberate balancing of federal interests. These regimes implement the federal government's primary powers to manage foreign affairs, protect the nation's security, regulate foreign commerce, and ensure national uniformity in these domains. The designation of terrorist organizations carries weighty implications for these federal interests: it affects foreign affairs and foreign policy, requires national security judgments, shuts down foreign and U.S. transactions by the organization, and imposes harsh criminal and civil penalties for violations. For many of the same reasons, the designation of terrorist organizations can also implicate the First Amendment speech and associational rights of domestic organizations and people in the United States, as Congress and the executive branch themselves have recognized.

207. Congress, aware of the severe practical and legal consequences of designating "terrorist organizations," exercised careful judgment in designing the

FTO regime. In doing so, it deliberately excluded domestic organizations from the scope of that regime. Likewise, the executive branch and Congress, in designing and amending the SDGT regime and regulations under IEEPA, have drawn deliberate lines in defining which domestic and foreign organizations may be sanctioned, under what circumstances, and for which specific types of terrorism-related conduct.

208. Through the federal SDGT and FTO regimes, Congress and the executive branch have also ensured national uniformity in the designation of terrorist organizations, foreclosing states from establishing a patchwork of separate schemes that interfere with foreign affairs and foreign commerce and threaten the First Amendment speech and associational rights, as well as due process and Fourth Amendment rights, of people and entities in the United States.

D. Federal Sanctions Targeting the Muslim Brotherhood, Hamas, and Alleged Affiliated Organizations and Individuals

209. Over the past three decades, the executive branch has exercised its powers under the SDGT and FTO regimes to sanction Hamas, certain country-specific chapters of the Muslim Brotherhood, and alleged affiliated organizations and individuals both in the United States and abroad. For example, the executive branch designated Hamas and Palestinian Islamic Jihad ("PIJ") as FTOs in 1997 and as SDGTs in 2001. The executive branch also designated the Holy Land

Foundation, a domestic organization, as an SDGT in 2001, based on allegations about foreign terrorism-related activities and associations.

210. The use of these sanctions reflects a deliberate exercise of the federal government's foreign affairs, national security, and foreign commerce judgment. For example, the federal government has recently taken different, calibrated approaches with respect to different chapters of the Muslim Brotherhood. It has designated some chapters as SDGTs, with at least one chapter as both an FTO and an SDGT, and some Muslim Brotherhood-affiliated groups and political parties it has not designated at all. *See, e.g.*, E.O. 14362, "Designation of Certain Muslim Brotherhood Chapters as Foreign Terrorist Organizations and Specially Designated Global Terrorists," Exec. Order No. 14362, 90 Fed. Reg. 55033 (Nov. 24, 2025). This varied approach reflects, among other things, the delicate foreign affairs implications of accusing groups of terrorist activities, officially designating them as "terrorist organizations" or "global terrorists," and blocking their assets and transactions, especially when such groups may have complex relationships with foreign political parties, foreign governments, and foreign officials.

211. Likewise, sanctioning domestic organizations based on allegations about their relationships with foreign organizations or governments has weighty implications for the United States' foreign affairs, foreign policy, and national security. For example, publicly accusing foreign organizations of controlling,

directing, or influencing domestic organizations in connection with alleged terrorist activity carries significant diplomatic and foreign affairs ramifications for the United States' relationship with the country or countries where the foreign organization is located. Florida's new DTO regime, including its designation of Plaintiffs, impermissibly intrudes upon and conflicts with the federal government's power and policies in these domains.

212. In sum, the federal government—through statutes, executive orders, executive agencies, and inherent powers—exclusively controls the designation of terrorist organizations in the United States. Florida's new DTO regime, and its application of that regime to Plaintiffs, is preempted and violates the Supremacy Clause of the U.S. Constitution.

CLAIMS FOR RELIEF

COUNT ONE
Violation of the First Amendment—Right to Free Speech
(in violation of 42 U.S.C. § 1983, against all Defendants)

213. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 185.

214. The First Amendment protects Plaintiffs' speech and advocacy on matters of public concern, including faith and religion, government affairs, civil rights, and public policy.

215. The DTO regime and the designations of Plaintiffs as DTOs are unlawful because they directly suppress Plaintiffs' protected speech and coerce third parties to unlawfully suppress Plaintiffs' speech, as set forth above. In addition to criminalizing Plaintiffs' speech directly, *see, e.g.*, Fla. Stat. § 874.10, the DTO regime also criminalizes the speech of Plaintiffs' board members and staff in the service of the organization, *see, e.g.*, *id.*, and even allows the state to enjoin Plaintiffs' use of physical locations to speak, *see, e.g.*, Fla. Stat. § 823.05(2)(b)–(c). More generally, the DTO regime will make it impossible for Plaintiffs to have board members or staff in Florida. *See, e.g.*, Fla. Stat. § 775.33. As corporate entities, Plaintiffs can speak only through board members or staff. These restrictions will force CAIR-Florida to shut down altogether, and they will substantially impair CAIR's speech and advocacy. These restrictions are not narrowly tailored and do not actually advance a compelling state interest.

216. Once an organization's designation is effective, the DTO regime allows the state to punish speech by and to the designated organization that would otherwise be protected—simply because executive officials have deemed the organization a DTO. Executive officials decide whether an organization's protected speech will become a crime, based on their discretionary "finding" of criminality and subjective "threat" assessment. Fla. Stat. § 943.03102(1)(a), (2)(d). These officials decide whether an organization's ability to speak and to receive speech can

continue as usual, or whether that same speech will become a felony. Executive officials pick and choose which organizations are subject to unique criminal and civil restraints on their speech and advocacy.

217. The DTO regime and Plaintiffs' designations are unlawful because they impose an unconstitutional prior restraint. An organization designated as a DTO is subject to severe restrictions on its speech by executive officials—as well as severe restrictions on its ability to receive speech from members, supporters, and others—before the speech occurs. There is no guarantee of any judicial hearing, let alone a ruling, before the restraint becomes effective. The DTO regime does not require the state to bear the burden of going to court; does not require the state to bear the burden of proving that the speech it seeks to prohibit is unprotected; and does not assure an almost-immediate final judicial decision.

218. The DTO regime and Plaintiffs' designations are unlawful because the regime vests excessive discretion in the Chief of Domestic Security, the Governor, and the Cabinet to silence, debilitate, and blacklist domestic advocacy organizations engaged in First Amendment-protected activity, such as Plaintiffs, by designating them as DTOs. The DTO regime does not require state officials to satisfy any burden of proof; does not require judicial review prior to designation; does not require an almost-immediate final judicial decision; and at no point requires disclosure of the state's evidence (if any) to the designated organization.

219. The DTO regime and Plaintiffs' designations are unlawful because they are a substantially overbroad restriction on a designated organization's right to engage in and receive speech.

220. The DTO regime and Plaintiffs' designations are unlawful because they burden Plaintiffs' speech, as well as Plaintiffs' right to receive information, on the basis of its content and viewpoint. For example, liability under Florida Statutes §§ 823.05, 874.10 and 874.11 turns on the message conveyed by the speech and, specifically, whether the speech is intended to further the interests of the organization. Speech advancing the interests of the organization is subject to sanctions, while speech opposing those same interests is not. Similarly, Florida Statutes § 775.33 burdens Plaintiffs' right to receive information on the basis of its content because it prevents people from providing, among other things, services and expert assistance in the form of speech to CAIR and CAIR-Florida. These burdens are not narrowly tailored to actually advance a compelling state interest.

221. The designations of Plaintiffs under the DTO regime are unlawful because Defendants' designations discriminate against Plaintiffs on the basis of their viewpoints, are not narrowly tailored, and do not actually advance a compelling government interest.

COUNT TWO
Violation of the First Amendment—Right to Association
(in violation of 42 U.S.C. § 1983, against all Defendants)

222. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 185.

223. The First Amendment guarantees freedom of association as an indispensable means of preserving other individual liberties. The right to associate for the purpose of engaging in activities protected by the First Amendment—speech, assembly, petition for the redress of grievances, and the exercise of religion—constitutes expressive association and receives heightened constitutional protection.

224. In pursuing their faith-based mission, Plaintiffs' protected advocacy necessarily involves association, interaction, and coordination with their board members, staff, volunteers, donors, each other, members of the public, and other organizations and businesses as an essential predicate to public education, interfaith work, and legal, civil rights, and public policy advocacy.

225. The DTO regime and Plaintiffs' designations are unlawful because the regime vests excessive discretion in the Chief of Domestic Security, the Governor, and the Cabinet to paralyze and debilitate the expressive associations of domestic advocacy organizations, such as Plaintiffs, by designating them as DTOs.

226. For example, the DTO regime will make it a crime for Plaintiffs—and anyone else—to knowingly "initiate[]" associational activities in furtherance of Plaintiffs' interests. *See* Fla. Stat. § 874.10. The DTO regime even allows the state to enjoin Plaintiffs' use of physical locations to associate. *See, e.g.*, Fla. Stat. § 823.05(2)(b)–(c). More generally, the DTO regime will make it impossible for Plaintiffs to have expressive associational relationships with board members, staff, or donors in Florida, given the criminalization of "material support" to designated organizations. *See, e.g.*, Fla. Stat. § 775.33. As corporate entities, Plaintiffs can only speak and associate with others via board members or staff. The DTO regime's restrictions will force CAIR-Florida to shut down altogether, and they will substantially impair CAIR's speech and advocacy.

227. The DTO regime is unlawful because it authorizes Defendants to impair organizations' ability to engage in expressive association and advocacy, as set forth above. It does so both directly and indirectly, through the array of criminal and civil penalties for individuals who associate with designated organizations in various respects. There is no substantial relationship between the DTO regime and a sufficiently important government interest, and the DTO regime is not narrowly tailored to achieve any such interest.

228. The designations of Plaintiffs under the DTO regime are unlawful because they profoundly impair their ability to engage in expressive association

and advocacy in Florida, as set forth above. The designations do so both directly and indirectly, through the array of criminal and civil penalties for Plaintiffs and for individuals who engage in expressive association with Plaintiffs—including Plaintiffs' board members, staff, volunteers, donors, and other supporters. There is no substantial relationship between the State Executive Defendants' designation of Plaintiffs and a sufficiently important government interest, and the designation is not narrowly tailored to achieve any such interest.

229. The DTO regime and Plaintiffs' designations are unlawful because they impose an unconstitutional prior restraint on protected association. An organization designated as a DTO is subject to severe restrictions on its expressive associations by executive officials before the associations occur. There is no guarantee of any judicial hearing, let alone a ruling, before the restraint becomes effective. The DTO regime is unlawful because it does not require the state to bear the burden of going to court; does not require the state to bear the burden of proving that the association it seeks to prohibit is unprotected; and does not assure an almost-immediate final judicial decision. The DTO regime is also unlawful because there is no substantial relationship between the DTO regime and a sufficiently important government interest, and the DTO regime is not narrowly tailored to achieve any such interest.

230. The DTO regime and Plaintiffs' designations under it are unlawful because they impose unconstitutional "guilt for association" on Plaintiffs' staff, board members, volunteers, donors, supporters, and others—an "impermissible basis upon which to deny First Amendment rights." *See NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 920, 925 (1982). For example, once Plaintiffs' designations are effective, Plaintiffs' employees in Florida will face criminal liability for "material support" to Plaintiffs if they continue to associate with Plaintiffs by providing services to them. *See* Fla. Stat. § 775.33; *see also* Fla. Stat § 874.10 (criminalizing the knowing initiation of activity—including protected associational activity—in furtherance of a DTO's interests). The state cannot criminally prohibit association without first proving that (1) Plaintiffs possess unlawful aims and goals, and (2) Plaintiffs' staff, board members, volunteers, donors, supporters, and others in association with them have a specific intent to further those illegal aims. Although the state has not met and cannot meet this burden, executive officials have nevertheless deemed Plaintiffs guilty under the DTO regime, and people who associate with Plaintiffs face liability for their association as a result. The DTO regime has defined crimes in such a way that the state never needs to prove that Plaintiffs possess unlawful aims and goals. This "guilt for association," in turn, profoundly impairs Plaintiffs' protected associational relationships.

COUNT THREE
Violation of the First Amendment—Retaliation
(in violation of 42 U.S.C. § 1983, against all Defendants)

231. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 185.

232. The designations of Plaintiffs under the DTO regime are unlawful because they constitute government retaliation against them in violation of the First Amendment.

233. Plaintiffs' speech is constitutionally protected, as set forth above.

234. The designations of Plaintiffs under the DTO regime are an adverse action that materially harms Plaintiffs, as set forth above. The designations would likely deter a person of ordinary firmness from the exercise of First Amendment rights.

235. Plaintiffs' protected speech and association are substantial or motivating factors in the state's challenged conduct, thus establishing a causal connection between the state's retaliatory actions and the protected activity, as set forth above.

COUNT FOUR
Violation of the First Amendment—Right to Petition
(in violation of 42 U.S.C. § 1983, against all Defendants)

236. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 103 and 156 to 185.

237. The First Amendment protects the right of the people to petition the government for a redress of grievances. The right to petition includes the ability of citizens and groups of them to approach the legislature, the executive branch, and the courts. The DTO regime and Plaintiffs' designations directly and indirectly substantially impair Plaintiffs' right to petition. The regime and designations suppress Plaintiffs' speech to the legislature, the executive branch, and the courts, as well as the speech and activity of others who would facilitate Plaintiffs' petitioning. *See, e.g.*, Fla. Stat. §§ 775.33, 874.10. These restrictions are not narrowly tailored to actually advance a compelling state interest, nor is there a substantial relationship between the impairment and a sufficiently important government interest.

COUNT FIVE
Violation of the Fourteenth Amendment—Due Process
(in violation of 42 U.S.C. § 1983, against all Defendants)

238. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 103 and 156 to 185.

239. **Executive Adjudication of Criminal Culpability and Imposition of Criminal Punishment.** The DTO regime violates the due process component of the Fourteenth Amendment because it empowers state executive officials to (a) find that a U.S. group is engaged in criminal wrongdoing under Florida or U.S. law and (b) severely punish the group on the basis of that finding, without providing the

group with any of the protections attending the criminal process, including those based on fundamental Fourteenth, Fifth, and Sixth Amendment rights, such as the presumption of innocence, the right to have one's charges proven beyond a reasonable doubt in a court of law, the right to confront witnesses, and the right to exculpatory evidence in the possession of the prosecution.

240. **Inadequate Procedural Protections.** Alternatively, the DTO regime violates the due process component of the Fourteenth Amendment as applied to U.S. corporations, including nonprofits like Plaintiffs, because it authorizes the deprivation of their constitutionally protected interests in liberty and property, as set forth above, while denying them adequate procedural protections.

241. In particular, the procedures prescribed by the DTO regime, as set forth above, create an extraordinarily high risk that the state will erroneously deprive U.S. corporations, including Plaintiffs, of critically important, constitutionally protected interests in liberty and property.

242. The state could feasibly provide significantly more robust procedural protections to U.S. corporations it seeks to designate, including Plaintiffs—and it has no legitimate interest in denying them such protections. Consequently, the state's current procedures for designating U.S. organizations as "domestic terrorist organizations" are constitutionally inadequate; the DTO regime denies U.S. corporations, including Plaintiffs, "the opportunity to be heard at a meaningful time

and in a meaningful manner." *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (citation modified).

COUNT SIX
Violation of the Fourteenth Amendment—Right to Counsel
(in violation of 42 U.S.C. § 1983, against all Defendants)

243. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 103 and 156 to 185.

244. The Fourteenth Amendment protects and guarantees litigants the right to retain and be represented by counsel in their legal proceedings, including the right to choose counsel free from arbitrary or unjustified governmental interference.

245. The designation of Plaintiffs under the DTO regime violates their Fourteenth Amendment right to counsel.

246. Under the DTO regime's material support provision, it is a felony, punishable by up to thirty years in prison, to provide any designated DTO with "material support or resources," which includes any "service" or "expert advice or assistance." Fla. Stat. § 775.33(1)(d). Further, it is a felony, punishable by up to life in prison, if any person knowingly "initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity." Fla. Stat. § 874.10.

247. These statutes do not exempt the provision of legal services, representation, and advice from these or any other prohibitions imposed under the DTO regime.

248. While Emergency Rule 11RER26-8(5) states that the FDLE "will not consider there to be cause for prosecution for a violation of section 775.33 or Chapter 874, F.S., based solely on the provision of legal counsel or legal support services to the organization for purposes of representing or providing advice in connection with existing or anticipated litigation concerning a designation or defending against a criminal prosecution," that does not suffice to protect Plaintiffs' right to counsel.

249. Emergency Rule 11RER26-8 expires after 90 days, at which point the prohibitions on providing legal counsel to designated organizations under Florida Statutes §§ 775.33 and 874.10 will again apply.

250. The interpretation set forth in Emergency Rule 11RER26-8 also applies only to existing or anticipated litigation concerning a designation and criminal prosecutions. It does not apply to legal support or advice provided in relation to other proceedings, such as civil or administrative proceedings, or other matters, such as general legal compliance services.

251. Once Plaintiffs' designations are effective, any lawyer or legal organization that provides or attempts to provide legal services or representation to

CAIR or CAIR-Florida unrelated to existing or pending litigation involving CAIR or CAIR-Florida's designation or a criminal proceeding faces a credible threat of criminal prosecution under the DTO regime, including under Florida Statutes §§ 775.33(1)(d) and 874.10.

252. Once Emergency Rule 11RER26-8 expires, any lawyer or legal organization that provides or attempts to provide legal services or representation to CAIR or CAIR-Florida for any purpose faces a credible threat of criminal prosecution under the DTO regime, including under Florida Statutes §§ 775.33(1)(d) and 874.10.

253. Because lawyers and legal organizations face a credible threat of prosecution for providing legal services or representation to Plaintiffs under the DTO regime, designation creates a substantial risk that Plaintiffs will be unable to obtain counsel to represent them in pending and future legal proceedings, including in future legal proceedings brought to challenge their designation under the DTO regime once Emergency Rule 11RER26-8 expires. Further, even where Plaintiffs can retain counsel, requiring them to proceed while their counsel face a credible threat of prosecution under the DTO regime itself causes Plaintiffs concrete harm.

254. Plaintiffs face a substantial risk that they will be denied their right to counsel under the Fourteenth Amendment and that this violation will cause Plaintiffs ongoing, irreparable harm.

COUNT SEVEN
Violation of the First Amendment—Right to Counsel
(in violation of 42 U.S.C. § 1983, against all Defendants)

255. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 103 and 156 to 185 above.

256. The First Amendment protects and guarantees litigants the right to retain and associate with counsel in their legal proceedings and to petition the government for redress of grievances.

257. The designation of Plaintiffs under the DTO regime violates their rights to retain and associate with counsel in their legal proceedings and to petition the government by exposing any person who provides CAIR or CAIR-Florida with legal services or representation to severe criminal penalties.

258. Once Plaintiffs' designations are effective, persons who provide legal services or representation to CAIR or CAIR-Florida unrelated to existing or pending litigation involving Plaintiffs' designations or a criminal proceeding face a credible threat that they will be prosecuted under the DTO regime, including under Florida Statutes §§ 775.33(1)(d) and 874.10.

259. Once Emergency Rule 11RER26-8 expires, any lawyer or legal organization that provides or attempts to provide legal services or representation to for any purpose faces a credible threat of criminal prosecution under the DTO regime, including under Florida Statutes §§ 775.33(1)(d) and 874.10.

260. Because lawyers and legal organizations face a credible threat of prosecution for providing legal services or representation to Plaintiffs under the DTO regime, designation creates a substantial risk that Plaintiffs will be unable to obtain counsel to represent them in pending and future legal proceedings, including in future legal proceedings brought to challenge their designation under the DTO regime once Emergency Rule 11RER26-8 expires. Further, even where Plaintiffs can retain counsel, requiring them to proceed while their counsel face a credible threat of prosecution under the DTO regime itself causes Plaintiffs concrete harm.

261. The DTO regime's restrictions on the ability of Plaintiffs to obtain legal services and representation violate the First Amendment because the state has no compelling or even legitimate interest in restricting Plaintiffs' access to counsel, and the restrictions are not closely drawn or narrowly tailored to further any interest.

262. Plaintiffs face a substantial risk that they will be denied their rights under the First Amendment and that this violation will cause Plaintiffs ongoing, irreparable harm.

COUNT EIGHT
Violation of the Supremacy Clause of the U.S. Constitution
Preemption by Federal Regimes Governing
Designation of Terrorist Organizations, Foreign Affairs, Foreign Commerce, and National Security
(Against all Defendants**)**

263. Plaintiffs reallege and incorporate by reference the allegations in paragraphs 1 to 103 and 156 to 212 above.

264. The Supremacy Clause of the U.S. Constitution states: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." U.S. Const., art. VI, cl. 2.

265. The Supremacy Clause establishes the doctrine of federal preemption, which mandates that federal law preempts state law in any area over which Congress has expressly or impliedly reserved exclusive authority or which is constitutionally reserved to the federal government, or where state law conflicts or interferes with federal law or objectives.

266. Pursuant to the Supremacy Clause, Florida's new statutory regime for designating domestic terrorist organizations—and its designation of Plaintiffs under that scheme—is preempted by the federal regimes governing the designation of terrorist organizations, foreign affairs, national security, and foreign commerce, including the federal laws and executive orders providing for the designation of SDGTs and FTOs.

267. The U.S. Constitution vests the federal government with the primary powers to manage foreign affairs, protect the nation's security, regulate foreign commerce, and ensure national uniformity in those domains. *See, e.g.*, U.S. Const., art. I, § 10, cl. 1, 3 (foreign affairs); U.S. Const., art. I, §§ 8, 10 (national security); U.S. Const., art II, § 2 (same); U.S. Const., art. I, § 8, cl. 3 (commerce with foreign nations).

268. Under federal laws and regulations, the Department of Treasury and Department of State are authorized, inter alia, to investigate, designate, and sanction domestic and foreign organizations with respect to terrorist activities that threaten national security. OFAC is responsible for administering and enforcing the far-reaching sanctions that result from designation as an SDGT or FTO.

269. The enactment, designation, and impending enforcement of the prohibitions embodied by Florida's new DTO regime have caused and will continue to cause Plaintiffs ongoing and irreparable harm.

270. In implementing and enforcing the provisions of the law, Defendants are acting under color of state law to deprive Plaintiffs and other individuals of their rights, privileges, and immunities granted under the U.S. Constitution and federal law.

REQUEST FOR RELIEF

Wherefore, Plaintiffs respectfully request that this Court:

A. Enjoin Defendant Keefe from publishing the designations of Plaintiffs as "domestic terrorist organizations" in the Florida Administrative Register and on the FDLE website.

B. Issue an injunction requiring Defendant Keefe to rescind and remove the designations of Plaintiffs as "domestic terrorist organizations," and to rescind and remove any publication of such designation in the Florida Administrative Register and on the FDLE website.

C. Enjoin all Defendants from taking any steps to make the designations of Plaintiffs as "domestic terrorist organizations" effective.

D. Enjoin all Defendants from enforcing any provision of the DTO regime against Plaintiffs pursuant to their designations as "domestic terrorist organizations," and enjoin all Defendants from enforcing any provision of the DTO regime against others in connection with the designations of Plaintiffs under the DTO regime.

E. Enjoin all Defendants from enforcing any prohibition on provision of legal services to or by Plaintiffs in connection with any civil or criminal proceedings involving Plaintiffs as a party or counsel, pursuant to their designations as "domestic terrorist organizations" under the DTO regime.

F. Declare that the DTO regime and designation of Plaintiffs as "domestic terrorist organizations" pursuant to the DTO regime violates the First and Fourteenth Amendments.

G. Declare that the DTO regime and designation of Plaintiffs as "domestic terrorist organizations" pursuant to the DTO regime is unconstitutional under the Supremacy Clause of the U.S. Constitution and preempted by federal law.

H. Award reasonable attorneys' fees and costs.

I. Grant such other and further relief as the Court deems proper.

Respectfully submitted October 1, 2026,

/s/ Daniel Tilley

Daniel B. Tilley (FBN 102882)
ACLU Foundation of Florida
4343 West Flagler Street, Ste. 400
Miami, FL 33134
(786) 363-2714
dtilley@aclufl.org

Hina Shamsi*
Ashley Gorski*
Patrick Toomey*
Charles Hogle*
Celin Carlo-Gonzalez*
Jeffrey Stein*
Natalie Smith*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500
hshamsi@aclu.org
agorski@aclu.org
charlie.hogle@aclu.org
ccarlo-gonzalez@aclu.org
jstein@aclu.org
n.smith@aclu.org
ptoomey@aclu.org

Scott D. McCoy (FL Bar No. 1004965)
Aaron Fleisher*
Diego A. Soto*
Mary Ella W. Simmons*
Southern Poverty Law Center
400 Washington Ave
Montgomery, AL 31604
(786) 347-2056
scott.mccoy@splcenter.org
aaron.fleisher@splcenter.org
arthur.ago@splcenter.org
diego.soto@splcenter.org
maryella.simmons@splcenter.org

Manoj S. "Sachin" Varghese*
Mark L. Bailey*
Kayla Polonsky Gannon*
Bondurant, Mixson & Elmore, LLP
1201 W. Peachtree St. NW, Ste. 3900
Atlanta, GA 30309
(404) 881-4100
varghese@bmelaw.com
bailey@bmelaw.com
polonsky@bmelaw.com

**Pro hac vice application forthcoming*

Counsel for Plaintiffs