

No. 26-10735

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CAIR FOUNDATION, et al.,
Plaintiffs-Appellees,

-v.-

GOVERNOR, STATE OF FLORIDA,
Defendant-Appellant.

On Appeal from the United States District Court for the Northern
District of Florida
(Docket No. 4:25-cv-00516-MW-MJF)

**BRIEF OF *AMICI CURIAE* NINE SCHOLARS AND
PROFESSORS OF ISLAM IN SUPPORT OF APPELLEES**

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11th Cir. R. 26.1-1

(Please type or print legibly; Add additional pages if necessary)

_____ vs. _____ Appeal No. _____

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DISCLOSURE STATEMENT

Amici curiae are represented by the undersigned. They are permitted to file this brief pursuant to Fed. R. App. P. 29(a)(2) because Appellees consent to its submission and Appellant took no position with respect to its submission. No counsel for any party authored this brief in whole or in part, and no person or entity other than *amici curiae* or their counsel made a monetary contribution to the preparation or submission of this brief.

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INTEREST OF *AMICI CURIAE*

Amici are scholars and professors of Islam who research, write and teach about the experiences of Muslims. They also engage in public advocacy for the robust protection of the equal citizenship of Muslims. Although they work in disparate academic fields, *amici*'s research and teaching interests overlap in promoting human equality and combatting anti-Muslim bigotry. They also engage in various modes of public education about Islam, Muslims, and the history of anti-Muslim bigotry. Their research and teaching often intersect with Muslim civil society organizations, such as the Council on American-Islamic Relations ("CAIR"), which are valuable repositories of the information and data on which their work depends. As public advocates for Muslim equality, *amici* have an interest in ensuring that CAIR, given its significant role in combatting anti-Muslim bigotry, continues to play that role without threats of governmental intimidation.

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INTRODUCTION

Anti-Muslim bigotry combines racial and religious bigotry and has deep historical roots.¹ Arabs can be Muslim, Christian, or Jewish,² while most Muslims are non-Arabs. Anti-Muslim bigotry affects both Muslims and those perceived to be Muslims.³ Contemporary articulations of anti-Muslim bigotry incorporate theology, Orientalism, xenophobia, and Christian nationalism to legitimize public and private discrimination against Muslims. While anti-Muslim bigotry predated 2001, 9/11 dramatically worsened the experiences of millions of Muslims in the United States. National security practices systematically targeted Muslim communities. The media, elected officials, and public discourse all tarred Muslims with the label of terrorism.⁴ As a result, Muslims experienced discrimination in schools, workplaces, universities, neighborhoods, and in public at an unprecedented rate.

¹ SAHAR F. AZIZ, *THE RACIAL MUSLIM: WHEN RACISM QUASHES RELIGIOUS FREEDOM* (2021).

² *See, e.g.*, MICHELLE U. CAMPOS, *OTTOMAN BROTHERS: MUSLIMS, CHRISTIANS, AND JEWS IN EARLY TWENTIETH-CENTURY PALESTINE* (2011); Salim Tamari, *Ishaq Al-Shami and the Predicament of the Arab Jew in Palestine*, INSTITUTE FOR PALESTINE STUDIES (2004), https://www.palestine-studies.org/sites/default/files/jq-articles/predicament_2_0.pdf; ISCA, <http://www.islamicsupremecouncil.org/> (last visited June 12, 2019); AVI SHLAIM, *THREE WORLDS: MEMOIRS OF AN ARAB-JEW* (2023); Ella Shohat, *Dislocated Identities: Reflections of an Arab Jew*, in *ON THE ARAB-JEW, PALESTINE, AND OTHER DISPLACEMENTS: SELECTED WRITINGS* (2017).

³ *See, e.g.*, *A Sikh Man's Murder at a Gas Station Revealed Another Tragedy of 9/11*, <https://www.cnn.com/interactive/2021/09/us/balbir-singh-sodhi-9-11-cec/> (last visited June 8, 2026).

⁴ Sahar Aziz, *Caught in a Preventive Dragnet: Selective Counterterrorism in a Post 9/11 America*, 47 GONZ. L. REV. 429 (2011).

This brief addresses the history of anti-Muslim bigotry, its political and social manifestations, and its impact on the lives of American Muslims and their struggle to achieve equal citizenship. It concludes with the integral role that the Council on American-Islamic Relations (“CAIR”) has played in assisting that struggle. Anti-Muslim bigotry sees Muslims as unworthy of citizenship and seeks to prevent them from exercising their rights as Americans. Because that history buttresses Appellees’ argument that Executive Order 25-244 (the “Executive Order”) is unconstitutionally coercive, this Court should affirm.

I. THE THEOLOGICAL ROOTS OF ANTI-MUSLIM BIGOTRY

Anti-Muslim bigotry has theological roots in Judeo-Christian interpretations of Genesis 22:1-19, according to which God preferred Isaac—Abraham’s son from his wife, Sarah—even though Ishmael, Abraham’s son from Hagar, was older. God excluded Ishmael and his mother from the divine covenant and banished them to the desert. The covenant was exclusively for Isaac’s descendants.⁵

Christianity appropriated the rabbinic teaching that God subordinated Ishmael to Isaac to claim that Christians were the “true”

⁵ See *Hagar: Midrash and Aggadah*, JEWISH WOMEN’S ARCHIVE, <https://jwa.org/encyclopedia/article/hagar-midrash-and-aggadah> (last visited June 8, 2026) (describing the rabbinic teaching of the permanent subordination of Hagar and her descendants—Arabs—to Isaac and his descendants).

descendants of Isaac, and therefore the “true” beneficiaries of God’s covenant,⁶ which in turn justified Christian superiority over Jews.⁷

Although Christianity developed a doctrine of qualified toleration of Jews,⁸ it did not do so for Islam and Muslims.⁹ Instead, Islam became an absolute other within the Christian faith—a religion whose very existence was diabolical.¹⁰ The Reformation only reinforced this view.¹¹

Religion in colonial America accepted Christianity’s fear of Muslims and racialized it. For example, Cotton Mather described Muslims in dehumanizing, racialized terms, such as “the Fierce Monsters of Africa”

⁶ JON DOUGLAS LEVENSON, *THE DEATH AND RESURRECTION OF THE BELOVED SON: THE TRANSFORMATION OF CHILD SACRIFICE IN JUDAISM AND CHRISTIANITY* 216–17 (1993).

⁷ Deeana Klepper, *Historicizing Allegory: The Jew as Hagar in Medieval Christian Text and Image*, 84 *CHURCH HIST.* 308 (2015).

⁸ Jeremy Cohen, *Revisiting Augustine’s Doctrine of Jewish Witness*, 89 *J. RELIGION* 564 (2009) (reviewing Paula Fredriksen, *AUGUSTINE AND THE JEWS: A CHRISTIAN DEFENSE OF JEWS AND JUDAISM* (2008)).

⁹ *MEDIEVAL CHRISTIAN PERCEPTIONS OF ISLAM: A BOOK OF ESSAYS* (John Victor Tolan ed., 2013).

¹⁰ Hanine Shehadeh, *No Place for Ismael: Christian and Jewish Zionism and the Liquidation of the Gaza Ghetto*, *POL. THEOLOGY* 4 (2025), <https://www.tandfonline.com/doi/full/10.1080/1462317X.2025.2583638> (quoting Pope Urban II as calling Muslims “despised,” “degraded” and “enslaved by demons”).

¹¹ Haley Gabrielle, *Re-Remembering Hagar: Reading the Εἰς in Galatians with Hortense Spillers*, 142 *J. BIBLICAL LITERATURE* 305, 310 (2023); J. Paul Rajashekar, *Luther as a Resource for Christian Dialogue with Other World Religions*, in *THE OXFORD HANDBOOK OF MARTIN LUTHER’S THEOLOGY*, 437 (Robert Kolb, Irene Dingel & L’ubomír Batka eds., 2014), <https://doi.org/10.1093/oxfordhb/9780199604708.013.039>.

and “Mahometan Turks and Moors, and Devils.”¹² Colonial-era pastors likewise regularly compared Islam to demonic forces.¹³

These attitudes persist today. According to a 2017 study of American Evangelicals, most respondents believed that “Muslims are evil, Islam is an evil religion,”¹⁴ and that “Muslims have an agenda to take over America, they are scary, they want to convert the whole world to Islam or kill them, Islam is a violent religion, etc.”¹⁵ A 2016 conference of Evangelicals in Jerusalem re-enacted the Bible’s story of Hagar and Sarah, with a Palestinian woman playing the servant to an Israeli woman.¹⁶

II. THE HISTORY OF ANTI-MUSLIM BIGOTRY IN LAW AND RHETORIC

The religious othering of Muslims bled into the legal realm, too. In *Calvin’s Case*,¹⁷ the foundational common-law case on citizenship, Sir Edward Coke stated that non-Christians were “perpetual enemies” who

¹² Thomas S. Kidd, *“Is It Worse to Follow Mahomet than the Devil?” Early American Uses of Islam*, 72 CHURCH HIST. 766, 768–69 (2003).

¹³ Thomas S. Kidd, *Evangelicals, the End Times, and Islam*, 10 HISTORICALLY SPEAKING 16, 16 (2009).

¹⁴ Amit A Bhatia, *American Evangelicals and Islam: Their Perspectives, Attitudes and Practices Towards Muslims in the US*, 34 TRANSFORMATION: INT’L J. HOLISTIC MISSION STUD. 26, 29 (2017).

¹⁵ *Id.* at 30.

¹⁶ Jack Munayer, *It’s Time to Talk about Palestinian Evangelicals*, MONDOWEISS (Apr. 12, 2022), <https://mondoweiss.net/2022/04/its-time-to-talk-about-palestinian-evangelicals/>; WATCHMEN FOR THE NATIONS, *Global Gathering Jerusalem 2016 – Session 6 (English)* (2016), https://www.youtube.com/watch?v=_aOB-fhojuo (showing scene of Palestinian woman accepting her submissive role).

¹⁷ *Calvin’s Case*, 7 Co. Rep. 1a, 77 Eng. Rep. 377 (K.B. 1608).

could *never* enjoy legal rights,¹⁸ because “between [non-Christians], as with the devils, . . . and the Christian, there is perpetual hostility, and can be no . . . peace.”¹⁹ This overt hostility to Muslims was reflected in colonial laws. One law of the Colony of Virginia provided that “all Turkes and Moors . . . [unless] in amity with his majesty . . . brought or imported into this country . . . are hereby adjudged, deemed and taken to be slaves.”²⁰

Some English legal authorities in the 18th century resisted the conclusion that Muslims were perpetual enemies.²¹ Hostility toward Muslims increasingly took a secular turn, however, and Muslims became the paradigmatic “other” in political rhetoric. Even as some Founders affirmed that religious freedom applied to Muslims, they continued to disparage Islam and Muslims.²²

At the founding, Americans harbored two contrasting views about Islam and Muslims. One, derived from Enlightenment principles, granted Muslims—in theory, if not practice—perfect toleration and

¹⁸ *Id.* at 17a.

¹⁹ *Id.* at 17a–17b.

²⁰ 2 Hening’s Statutes at Large 491–92, reproduced at <https://encyclopediavirginia.org/primary-documents/an-act-to-repeale-a-former-law-makeing-indians-and-others-ffree-1682/> (last visited June 9, 2026). *See also* 3 Hening’s Statutes at Large 447–48, reproduced at <https://encyclopediavirginia.org/primary-documents/an-act-concerning-servants-and-slaves-1705/> (last visited June 9, 2026) (same).

²¹ DENISE A. SPELLBERG, THOMAS JEFFERSON’S QUR’AN: ISLAM AND THE FOUNDERS 93 (2013).

²² *Id.* at 158–61.

political equality.²³ The other desired an America in which only white Protestants could be true citizens. Actual Muslims, however, were invisible to the Founders, even though many Founders likely had Muslim slaves.²⁴

American immigration law, which until 1952²⁵ only permitted the naturalization of “free white person[s],”²⁶ was the most prominent domain in which these contrasting visions of America overlapped with the place of Arabs and Muslims in the republic. An early naturalization case denied citizenship to an Arab of Syrian origin because it construed “white” as “European.”²⁷ By contrast, *United States v. Cartozian*, decided a few years later, expressly relied on the Armenian applicant’s Christianity to conclude that he was white, and noted approvingly that Armenians separated themselves from their Muslim neighbors.²⁸ And a 1942 case, *In re Ahmed Hassan*, explicitly held that Islam and white were mutually exclusive.²⁹

²³ The assumption of the absence of Muslims in early America was erroneous. See *American Muslims: A History Revealed | A Portrait of Freedom | Episode 1*, <https://www.pbs.org/video/a-portrait-of-freedom-h2digu/> (last visited June 10, 2026). Anthony the Turk, a Muslim of mixed Dutch-Moroccan heritage, was one of the original settlers of Manhattan and the ancestor of Jacqueline Kennedy. See *Ottoman New York* (June 24, 2017), <https://www.ottomanhistorypodcast.com/2017/06/ottoman-new-york.html>.

²⁴ SPELLBERG, *supra* note 21, at 167.

²⁵ Immigration and Nationality Act of 1952, Pub. L. No. 82-414, § 311, 66 Stat. 163, 239 (1952).

²⁶ Naturalization Act of 1790, ch. 3, § 1, 1 Stat. 103, 103 (1790).

²⁷ *Ex parte Dow*, 211 F. 486, 489 (E.D.S.C. 1914).

²⁸ *United States v. Cartozian*, 6 F.2d 919 (D. Or. 1925).

²⁹ *In re Ahmed Hassan*, 48 F. Supp. 843, 845 (E.D. Mich. 1942).

Only a 1944 case, *Ex parte Mohriez*,³⁰ rejected this trend. It celebrated Islam as part of European civilization, noting the numerous contributions of Arabs to Western philosophy and mathematics.³¹ The court further observed that exclusionary policies contravened the United States' commitment to democratic liberalism and urged courts to construe the law to further human equality.³²

Ex parte Mohriez was decided at the height of World War II and the bloody struggle against fascism. At that moment, the United States stood for universal human equality, the rejection of global hostility and aggression, and the right of self-determination of peoples. The United States led the creation of the United Nations to secure these principles internationally. Congress passed the UN Charter by a vote of 89-2, and pursuant to the Supremacy Clause,³³ the Charter is now an integral part of federal law.³⁴

Even public culture in the interwar period had already reflected a shift from an exclusionary vision of America to a universalist one. Friezes displayed in the Supreme Court in the mid-1930s depicted the Prophet Muhammad among humanity's great lawgivers, signaling the inclusion

³⁰ *Ex parte Mohriez*, 54 F. Supp. 941 (D. Mass. 1944).

³¹ *Id.* at 942.

³² *Id.*

³³ U.S. Const. art. VI, cl. 2.

³⁴ U.N. Charter, June 26, 1945, 59 Stat. 1031, T.S. No. 993, 3 Bevans 1153. *See also* United Nations Participation Act of 1945, Pub. L. No. 79-264, 59 Stat. 619 (1945).

of Arabs and Islam in the new political vision of the American republic that would take concrete form after World War II.³⁵

For Arabs and Muslims, however, this promise of full democratic inclusion has never truly materialized. In the post-World War II era, anti-Muslim bigotry took on changing forms, at times religious, cultural and political. Whatever its precise form, anti-Muslim bigotry saw the inclusion of Muslims as full political equals in the United States as a threat. When lawmakers and courts accept these arguments, they work the same structural exclusion of Arabs and Muslims as the pre-1952 naturalization requirement that an alien be “a free white person.” Anti-Muslim politics, like those on display in this litigation, are contrary to the post-World War II American commitment to a multiracial, multireligious polity as manifested in landmark legislation like the 1965 Hart-Celler Act³⁶ and the Civil Rights Acts of the 1960s.³⁷

III. MANIFESTATIONS OF ANTI-MUSLIM BIGOTRY

Anti-Muslim bigotry appears in the private sector as verbal harassment, discrimination, opposition to the construction of mosques,

³⁵ *Courtroom Friezes: South and North Walls*, <https://www.supremecourt.gov/about/FriezesSN9-9-2021.pdf> (last visited June 19, 2026).

³⁶ Immigration and Nationality Act Amendments of 1965, Pub. L. No. 89-236, § 2, 79 Stat. 911, 911–12 (1965).

³⁷ Civil Rights Act of 1960, Pub. L. No. 86-449, 74 Stat. 86 (1960); Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 241 (1964); Voting Rights Act of 1965, Pub. L. No. 89-110, 79 Stat. 437 (1965); Civil Rights Act of 1968, Pub. L. No. 90-284, tit. VIII, 82 Stat. 73, 81–89 (1968) (Fair Housing Act).

bullying in school, workplace discrimination, and even assaults against visibly Muslim women and men. The belief that Muslims are not “true” Americans drives this irrational hatred by conflating Islam with terrorism under the thin guise of ensuring American safety. Because Islam, to anti-Muslim bigots, is the essential “other” to the American, no public manifestation of Islam can be innocuous. *A fortiori*, Muslims must be stopped from exercising their political rights, even their bedrock constitutional rights to freedom of religion and freedom of association. Anti-Muslim bigots describe these constitutionally-protected activities as conspiratorial attempts to take over the United States.³⁸

Political support for Zionism has exploited and reinforced anti-Muslim bigotry. When Congress passed a joint resolution in 1922 expressing support for the Balfour Declaration, it expressed reservations only regarding Palestine’s Christians. It expressed no equivalent concern for Palestine’s majority Muslim population.³⁹ Zionists and their supporters in Congress at the time openly denied that Palestine’s Arab population had rights of self-determination,⁴⁰ and some threatened them

³⁸ Glenn Greenwald, *GOP House Members Call for Investigation of Muslim Political Activity*, SALON.COM (Oct. 15, 2009), https://www.salon.com/2009/10/15/investigation/?utm_source=website&utm_medium=social&utm_campaign=ogshare&utm_content=og.

³⁹ KHALED ELGINDY, BLIND SPOT: AMERICA AND THE PALESTINIANS FROM BALFOUR TO TRUMP 23 (2019); *The Avalon Project: Balfour Declaration November 2, 1917*, https://avalon.law.yale.edu/20th_century/balfour.asp (last visited Jan. 7, 2024).

⁴⁰ ELGINDY, *supra* note 39, at 23–24.

with violent expulsion from Palestine if they did not submit to Zionism.⁴¹ Indifference and hostility to Palestinian self-determination had a lasting impact on American law and both reinforced and justified anti-Arab and anti-Muslim bigotry.⁴² As early as 1972, President Nixon established “Special Measures” that were used to monitor Arab-Americans and Arab students who were peacefully challenging United States’ policies in the Middle East and Palestine.⁴³ In the case of Arab-American and Arab students, these measures were used to deport them.⁴⁴

Muslim communities and their allies have tried to counter anti-Muslim bigotry. When Americans interact with Muslims as neighbors, classmates, fellow employees and in other shared spaces, negative attitudes change.⁴⁵ Over the last 30 years, local Muslim communities in the United States have hosted thousands of outreach programs. Media reports confirm the humanizing effects of these efforts.⁴⁶

⁴¹ *Id.* at 24.

⁴² See, e.g., Darryl Li et al., *Anti-Palestinian at the Core: The Origins and Growing Dangers of U.S. Antiterrorism Law* (2024), https://ccrjustice.org/sites/default/files/attach/2024/02/Anti-Palestinian%20at%20the%20Core_White%20Paper_0.pdf; David Cole, *The Last Time Pro-Palestinian Activists Faced Deportation*, NEW YORKER, Mar. 2025, <https://www.newyorker.com/news/the-lede/mahmoud-khalil-and-the-last-time-pro-palestinian-activists-faced-deportation>; David Cole, *9/11 and the LA 8*, Oct. 2003, <https://www.thenation.com/article/archive/911-and-la-8/>.

⁴³ CIVIL RIGHTS OF ARAB-AMERICANS: THE SPECIAL MEASURES v–vi (1974).

⁴⁴ *Id.*

⁴⁵ See Leonardo Bursztyn et al., *The Immigrant Next Door: Long-Term Contact, Generosity, and Prejudice*, 114 AM. ECON. REV. 348 (2024).

⁴⁶ See mappingislamophobia.org. Mapping Islamophobia is a web-based project that collected twenty years of reliable data on anti-Muslim activity and outreach efforts undertaken by Muslim communities across the United States.

Anti-Muslim bigotry, unfortunately, is structural and not simply the result of ignorance. A burgeoning academic literature demonstrates that anti-Muslim bigotry is entrenched across American society.⁴⁷ The 2011 Center for American Progress (“CAP”) report, *Fear, Inc.*, revealed a well-funded network of organizations that perpetuates and reinforces pre-existing anti-Muslim stereotypes and promotes fear of Islam and Muslims.⁴⁸ Such networks sustain, nurture, and catalyze anti-Muslim social movements, negatively affecting the daily experiences of Muslims and their attempts to exercise their political rights.⁴⁹ The Governor of Florida himself has publicly touted “legislation to stop the creep of sharia law.” Appellees’ Br. at 46 (citing Doc. 21, at ¶ 44).

Muslim advocacy organizations like CAIR are frequently targeted. A 2023 *New Yorker* investigation found that the United Arab Emirates had hired a Swiss company to smear individuals and organizations, including CAIR, with fabricated allegations of extremism and terror financing to serve its geopolitical interests. It engaged academics, such

⁴⁷ See, e.g., EVELYN ALSULTANY, *BROKEN: THE FAILED PROMISE OF MUSLIM INCLUSION* (2022).

⁴⁸ Wajahat Ali et al., *Fear, Inc.: The Roots of the Islamophobia Network in America* (2011), <https://cdn.americanprogress.org/wp-content/uploads/issues/2011/08/pdf/islamophobia.pdf>.

⁴⁹ CALEB IYER ELFENBEIN, *FEAR IN OUR HEARTS: WHAT ISLAMOPHOBIA TELLS US ABOUT AMERICA* (2021).

as George Washington University's Lorenzo Vidino, to disseminate misleading content to make false allegations appear legitimate.⁵⁰

On top of these targeted campaigns, biased media representations of Muslims have perpetuated racist stereotypes. Hundreds of Hollywood films over the course of a century have trafficked in anti-Arab and anti-Muslim stereotypes.⁵¹ These depictions matter; negative media portrayals of Muslims increase public support for restrictions on Muslims' civil rights.⁵² Another study found that when a Muslim commits an act of violence, it receives 357% more media coverage than comparable acts committed by whites.⁵³ U.S. media frequently stereotypes Islam as a sexist, authoritarian, and violent religion.⁵⁴ An analysis of *New York Times* coverage of Islam and Muslims between 1990 and 2014 found that 57 percent of stories about Muslims associated them with collective responsibility for terrorism⁵⁵—a revealing statistic in light of the Executive Order. Similarly, a study of opinion pieces published in *The*

⁵⁰ David D. Kirkpatrick, *The Dirty Secrets of a Smear Campaign*, NEW YORKER, Mar. 2023, <https://www.newyorker.com/magazine/2023/04/03/the-dirty-secrets-of-a-smear-campaign>.

⁵¹ Jack Shaheen, REEL BAD ARABS: HOW HOLLYWOOD VILIFIES A PEOPLE 9 (2001).

⁵² Muniba Saleem et al., *Exposure to Muslims in Media and Support for Public Policies Harming Muslims*, 44 COMM'C'N RSCH. 841 (2017). See also Nazita Lajevardi, *The Media Matters: Muslim American Portrayals and the Effects on Mass Attitudes*, 83 J. POL. 1060 (2021).

⁵³ Erin M. Kearns, Allison E. Betus & Anthony F. Lemieux, *Why Do Some Terrorist Attacks Receive More Media Attention Than Others?*, 36 JUST. Q. 985 (2019).

⁵⁴ Deepa Kumar, *The Persistence of Orientalist Myths*, in ISLAMOPHOBIA AND THE POLITICS OF EMPIRE 41 (2012).

⁵⁵ Owais Arshad, Varun Setlur & Usaid Siddiqui, *Are Muslims Collectively Responsible?: A Sentiment Analysis of the New York Times*, 416 LABS (2015).

Wall Street Journal found recurring portrayals of Islam as inherently incompatible with modernity and closely linked to fanaticism and political violence.⁵⁶

And the list goes on. A 2018 poll found widespread belief that Islam was incompatible with U.S. values.⁵⁷ Another recent study revealed that anti-Muslim attitudes were growing among Jews, Protestants, white Evangelicals, Catholics, and the general population, and that 63% of American Muslims reported experiencing some form of discrimination.⁵⁸ Islam is often described not as a religion entitled to constitutional protection, but rather, a political threat.⁵⁹

Public figures frequently slander Muslims without accountability. The prominent anti-Muslim intellectual and head of *Middle East Forum*, Daniel Pipes, accused Muslims of responsibility for the vicious January 2005 murder of an Egyptian Coptic Christian family.⁶⁰ Even when law

⁵⁶ Suad Joseph & Benjamin D'Harlingue, *The Wall Street Journal's Muslims*, 1 ISLAMOPHOBIA STUD. J. 132 (2012). See also Erik Bleich et al., *Report on Media Portrayals: 2018 Newspaper Coverage of African Americans, Asian Americans, Latinos, Jews, and Muslims*, MIDDLEBURY COLLEGE MEDIA PORTRAYALS OF MINORITIES PROJECT (2019).

⁵⁷ *Survey Examines Perceptions of Muslim Americans*, NEW AMERICA (June 30, 2026), <https://www.newamerica.org/insights/survey-examines-perceptions-muslim-americans/>.

⁵⁸ *American Muslim Poll 2025: Islamophobia Index*, INSTITUTE FOR SOCIAL POLICY AND UNDERSTANDING, <https://ispu.org/poll/american-muslim-poll-2025-full-report-4/> (last visited June 19, 2026).

⁵⁹ Aysha Khan, *A Push to Deny Muslims Religious Freedom Gains Steam*, RELIGION & POLITICS (July 16, 2019).

⁶⁰ Daniel Pipes, *The Armanious Family Massacre*, DANIEL PIPES (Jan. 20, 2005), <https://www.danielpipes.org/blog/2005/01/the-armanious-family-massacre>. See also Daniel Pipes, *Denying [Islamist] Terrorism*, DANIEL PIPES (Feb. 8, 2005),

enforcement later determined that the family was murdered during a break-in by a non-Muslim neighbor, Pipes did not retract his earlier accusations.⁶¹ Pipes previously had declared that the 1995 Oklahoma City bombings (perpetrated by a white American) were the work of Muslims.⁶² And Pipes has argued that Muslims in the United States, including government employees, military chaplains, and mosques, as well as Muslim immigrants and visitors, require special scrutiny.⁶³

The cumulative effect of this entrenched hostility is the production and reinforcement of anti-Muslim bigotry that manifests in public policy, public and private discrimination, and, sometimes, in violence. From 2010 to 2020, there were at minimum 1460 verified media reports of anti-Muslim incidents in the United States, including violent attacks; property crimes, such as vandalism and arson; bias-related incidents targeting Muslims or those perceived to be Muslim; public utterances by anti-Muslim activists; and anti-Muslim public speech by elected officials.⁶⁴

<https://www.danielpipes.org/2396/denying-islamist-terrorism> (criticizing law enforcement for not pursuing a religiously-motivated angle to the crime pointing to Muslims).

⁶¹ *Two Charged in Killing of Egyptian Family*, NBC NEWS (Mar. 5, 2005), <https://www.nbcnews.com/id/wbna7093391>.

⁶² *See The 'Experts' Speak*, FAIR (July 1, 1995), <https://fair.org/extra/the-experts-speak/> (last visited July 9, 2026).

⁶³ Daniel Pipes, *The Enemy Within and the Need for Profiling*, N.Y. POST (Jan. 24, 2003), <http://www.danielpipes.org/1009/the-enemy-within-and-the-need-for-profiling> (last visited June 22, 2026).

⁶⁴ *See* mappingislamophobia.org.

There is no shortage of examples of anti-Muslim violence in particular. Two teenagers recently attacked a mosque in San Diego, murdering three people.⁶⁵ An informal advisor to the President, Laura Loomer, called on Muslims to leave the country for their own safety in the wake of the crime.⁶⁶ Shortly after October 7, a landlord in a Chicago suburb murdered his six-year-old Palestinian tenant by stabbing him 26 times and severely wounding his mother.⁶⁷ Three Palestinian college students were shot while taking a walk in Burlington, Vermont, leaving one permanently paralyzed from the waist down.⁶⁸ In August 2016, an Oklahoma man shot and killed his Lebanese neighbor, Khalid Jabara, after years of taunting him and his family with racial and religious insults, believing him to be a Muslim though he was Christian.⁶⁹

⁶⁵ Salvador Hernandez et al., *5 Dead, Including Teen Gunmen, at San Diego Islamic Center; Hate Motive Probed*, L.A. TIMES (May 18, 2026), <https://www.latimes.com/california/story/2026-05-18/san-diego-police-swarm-islamic-center-amid-reports-of-active-shooter>.

⁶⁶ Chris Walker, *Trump Adviser Laura Loomer Peddles Falsehoods About San Diego Mosque Shooting Victims*, TRUTHOUT (May 19, 2026), <https://truthout.org/articles/trump-adviser-loomer-peddles-falsehoods-about-san-diego-mosque-shooting-victims/>.

⁶⁷ *Illinois Landlord Found Guilty for Murder of Palestinian-American Boy* (Feb. 28, 2025), <https://www.bbc.com/news/articles/cyveq30lmdlo>.

⁶⁸ Lisa Rathke & Holly Ramer, *3 Young Palestinian Men Were Shot in Vermont. Their Families Thought the US Would Be Safer*, AP NEWS (Nov. 28, 2023), <https://apnews.com/article/shooting-burlington-vermont-palestinian-students-suspect-dd781a57f5d96cf591a1840db890b4ed>.

⁶⁹ *Jury: Oklahoma Man Guilty of Murder, Hate Crime in Slaying* | AP News, <https://apnews.com/general-news-2989b21f713b446585ba66bcfa221844?> (last visited June 12, 2026).

The list goes on. In an act of heinous violence, Craig Hicks knocked on the door of his Muslim-American student neighbors, Deah Barakat, Yusor Abu-Salha, and Razan Abu-Salha, and murdered them in cold blood in February 2015.⁷⁰ When Dr. Mohammad Abu-Salha, father of Yusor and Razan, testified in a congressional hearing on right-wing violence and white nationalism,⁷¹ Congressmen openly peddled anti-Muslim tropes rather than asking him about anti-Muslim bigotry, with one congressman asking whether “Islam teaches Muslims to hate Jewish people.”⁷²

Equal Employment Opportunity Commission (“EEOC”) statistics reflect the pervasiveness of anti-Muslim bigotry. The proportion of complaints filed by Muslims for religious discrimination in employment has been at least 20% for every year from 2001 to 2017, except in 2013, when it was 19.4%.⁷³ EEOC statistics for national origin discrimination between 1995 and 2015 tell a similar story: The percentage of national

⁷⁰ *Fathers of Slain Muslims: This Was a Hate Crime*, AP NEWS (Feb. 12, 2015), <https://apnews.com/general-news-424b26babd7c4e33bc8713a376339bcf>.

⁷¹ “Seared into My Memory”: Father of Murdered Muslim Women Brings to Tears Members of Congress Investigating Hate - CBS News (Apr. 9, 2019), <https://www.cbsnews.com/news/father-of-murdered-muslim-women-chapel-hill-north-carolina-members-of-congress-investigating-hate/>.

⁷² *See Hate Crimes and the Rise of White Nationalism: Hearing Before the H. Comm. on the Judiciary*, 116th Cong. (2019), <https://www.govinfo.gov/content/pkg/CHRG-116hhrg36563/html/CHRG-116hhrg36563.htm> (last visited June 28, 2026).

⁷³ *Religion-Based Charges Filed from 10/01/2000 through 9/30/2011 Showing Percentage Filed on the Basis of Religion-Muslim*, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, <https://www.eeoc.gov/religion-based-charges-filed-10012000-through-9302011-showing-percentage-filed-basis-religion> (last visited June 13, 2026).

origin discrimination claims filed by persons of Middle Eastern ancestry annually ranged between 5% and 6% even though Muslim-Americans are only 1% of the total population and Arab-Americans 0.9%.⁷⁴

Muslim-Americans have repeatedly faced unlawful obstacles to building or expanding places of worship. The United States Department of Justice intervened in at least twelve cases on behalf of Muslim communities seeking to build or expand places of worship or establish a cemetery between 2010 and 2025.⁷⁵ Local politicians frequently violated clear federal law or even incurred substantial financial liabilities rather than stand up to anti-Muslim bigotry.⁷⁶

⁷⁴ Besheer Mohamed, *New Estimates Show U.S. Muslim Population Continues to Grow*, PEW RSCH. CTR. (Jan. 3, 2018), <https://www.pewresearch.org/short-reads/2018/01/03/new-estimates-show-u-s-muslim-population-continues-to-grow/>; Arab Americans, WIKIPEDIA (2026), https://en.wikipedia.org/w/index.php?title=Arab_Americans&oldid=1358347119.

⁷⁵ See, e.g., *Civil Rights Division | United States v. City of Lilburn (N.D. Ga.) | United States Department of Justice* (Mar. 3, 2025), <https://www.justice.gov/crt/case/united-states-v-city-lilburn-nd-ga>; *Office of Public Affairs | Justice Department Resolves Lawsuit Alleging Religious Discrimination by Henrico County, Va., Against Muslim Group | United States Department of Justice* (Sept. 6, 2011), <https://www.justice.gov/archives/opa/pr/justice-department-resolves-lawsuit-alleging-religious-discrimination-henrico-county-va>; *Civil Rights Division | United States v. Rutherford County, Tennessee (M.D. Tenn.) | United States Department of Justice* (Mar. 10, 2025), <https://www.justice.gov/crt/case/united-states-v-rutherford-county-tennessee-md-tenn>; *Civil Rights Division | United States v. City of Lomita (C.D. Cal.) | United States Department of Justice* (Mar. 7, 2025), <https://www.justice.gov/crt/case/united-states-v-city-lomita-cd-cal>; *Civil Rights Division | United States v. City of Farmersville, Texas (E.D. Tex.) | United States Department of Justice* (Apr. 16, 2019), <https://www.justice.gov/crt/case/united-states-v-city-farmersville-texas-ed-tex>.

⁷⁶ See, e.g., *Civil Rights Division | Muslims on Long Island v The Town of Oyster Bay | United States Department of Justice* (Apr. 11, 2025), <https://www.justice.gov/crt/case/muslims-long-island-v-town-oyster-bay>; *Linklaters Secures Landmark Religious Land Use and Institutionalized Persons Act Settlement*

Instead of elected federal and state officials confronting this bigotry, the opposite occurs: Elected officials engage in it themselves, without accountability.⁷⁷ Most recently, Muslim delegates to the Texas Republican Party convention were told to convert to Christianity or leave the United States.⁷⁸

IV. THE REPRESSION AND REPRESENTATION OF ISLAM AND MUSLIMS IN POST 9/11 AMERICA

Muslims' presence in the United States dates to the colonial period when sizeable numbers of enslaved Africans in the United States were Muslim.⁷⁹ Islam, however, has never been considered an American religion. The twentieth-century rise of the Nation of Islam and the life

for Muslims on Long Island in Bethpage Mosque Case, <https://www.linklaters.com/about-us/news-and-deals/deals/2025/august/linklaters-secures-landmark-religious-land-use-and-institutionalized-persons-act-settlement-for-moli> (last visited June 13, 2026) (City agreed to pay \$3.95 million in damages, inclusive of attorney's fees and costs, to local Muslim community for failure to permit expansion of local mosque).

⁷⁷ See, e.g., *Only on 9: The Man Whom Florida Sen. Fine Referred to as a "Terrorist Rag" Speaks out - WFTV*, <https://www.wftv.com/news/local/only-9-man-whom-florida-sen-fine-referred-terrorist-rag-speaks-out/PQKMOFOTABG7FJ5NGW3IBZ3QHE/> (last visited June 13, 2026); Barbara Sprunt, *Tennessee GOP Rep Says Muslims "Don't Belong in American Society,"* KUAR (Mar. 9, 2026), <https://www.ualrpublicradio.org/npr-news/2026-03-09/tennessee-gop-rep-says-muslims-dont-belong-in-american-society>; Coach Tommy Tuberville [@SenTuberville], *The Enemy Is inside the Gates.*, TWITTER, <https://x.com/SenTuberville/status/2032087973810901496> (last visited June 13, 2026); Rep. Andrew Clyde [@Rep_Clyde], *No More Islamic Immigration. Denaturalize, Deport, Repeat.*, TWITTER, https://x.com/Rep_Clyde/status/2028953965711265839 (last visited June 13, 2026).

⁷⁸ Renzo Downey, *Muslims at Texas GOP Convention Told to Leave Party, Country*, TEX. TRIB. (June 15, 2026), <https://www.texastribune.org/2026/06/15/texas-republican-party-convention-muslims-sharia-law/>.

⁷⁹ SYLVIANE A. DIOUF, *SERVANTS OF ALLAH: AFRICAN MUSLIMS ENSLAVED IN THE AMERICAS* (1998).

and death of Malcolm X in the 1950s and 1960s meant that Islam in America registered as one part of the African American struggle for civil rights.

Muslim Americans subsequently were portrayed as immigrant outsiders, subjects of concern for law enforcement and government policymakers. The policing of Arabs and Muslims long preceded 9/11, but its breadth and intensity skyrocketed after 9/11. The emphasis post-9/11 on prevention rather than punishment produced theories of “radicalization” that were seen to justify mass surveillance.⁸⁰ Law enforcement monitored the lawful, ordinary activities of Muslims in search of evidence of such “radicalization.”⁸¹

Mass surveillance reinforced existing patterns of anti-Muslim bigotry and was reflected in popular television shows like *24* and *Sleeper Cell*. Popular films such as *Traitor* (2008) had similar storylines. Shows with humanizing portrayals of Muslims, like Hulu’s *Ramy*, Netflix’s *Mo*, HBO’s *The Night Of*, and The CW’s *Aliens in America* occupy the margins of American public culture.

The theme of Muslims as un-American is culturally salient. The unfounded and discriminatory allegation that American Muslims are on

⁸⁰ Amna Akbar, *Policing “Radicalization,”* 3 UC IRVINE L. REV. 809, 810 (2013).

⁸¹ *Id.* at 811–12; Sahar Aziz, *Policing Terrorists in the Community*, 5 HARV. NAT’L SEC. J. 147 (2014); *Settlement Reached in NYPD Muslim Surveillance Lawsuit*, MUSLIM ADVOCATES (Apr. 5, 2018), <https://muslimadvocates.org/2018/04/settlement-reached-in-nypd-muslim-surveillance-lawsuit/> (settling suit against New York Police Department for mass surveillance of Muslims in the tri-state area).

a “stealth jihad” to subvert the United States Constitution and impose Islamic law holds sway in certain circles, particularly among conservative lawmakers.⁸² Oklahomans, for example, voted overwhelmingly in November 2010 in favor of a state constitutional amendment that would ban the use of Islamic law in their courts after Republican State Representative Rex Duncan told them “a war for the survival of the United States” was being waged.⁸³ A number of states have passed so-called anti-sharia laws that do little more than communicate to Muslims that they are an unwelcome religious minority.⁸⁴

Government policies based on religious and national-origin profiling have upended Muslim communities and reinforced negative stereotypes. Following 9/11, hundreds of Muslim immigrants were rounded up, often on flimsy evidence or simply based on national origin. Professor David Cole estimates that the FBI conducted more than 200,000 interviews, and at least 5,000 individuals were arrested and ultimately deported.⁸⁵ One Palestinian man was arrested for driving four

⁸² Emily Kennard & Violet Jira, *House Republicans’ ‘Sharia Free America’ Caucus Is Surging*, NOTUS (Mar. 19, 2026), <https://www.notus.org/congress/house-republicans-sharia-free-america-caucus-is-surging>.

⁸³ James C. McKinley Jr., *Judge Blocks Oklahoma’s Ban on Using Shariah Law in Court*, N.Y. TIMES, Nov. 29, 2010, <https://www.nytimes.com/2010/11/30/us/30oklahoma.html>.

⁸⁴ Will Smiley, *The Other Muslim Bans*, 1 J. ISLAMIC L. 2 (2020).

⁸⁵ DAVID COLE, ENEMY ALIENS: DOUBLE STANDARDS AND CONSTITUTIONAL FREEDOMS IN THE WAR ON TERRORISM 25 (2003).

miles over the speed limit and then spent four months in jail before being deported.⁸⁶ An Algerian man, arrested in September 2001 and cleared of any terrorism connection within two months, spent nearly five years in detention.⁸⁷ These tactics earned the stinging rebuke of the Justice Department’s own Inspector General.⁸⁸

Additional initiatives included “voluntary” interviews with Arab and Muslim immigrants, warrantless wiretaps, extended use (and abuse) of the material witness statute, the deployment of spies and informants into Muslim communities, and microscopic scrutiny of charities and charitable giving.⁸⁹ Despite the costly human toll these policies imposed on American Muslims and other communities of color, they produced few tangible results.⁹⁰ New York University’s Center on Law and Security reviewed government “terror-related” cases and found “almost no

⁸⁶ *Id.* at 31.

⁸⁷ Andrew Mitrovica, *Caught in the Gears of an Intelligence Machine Running Wild*, IPOLITICS (Apr. 24, 2015), <https://www.ipolitics.ca/2015/04/24/caught-in-the-gears-of-an-intelligence-machine-running-wild/>.

⁸⁸ *Special Report: The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks*, OFFICE OF THE INSPECTOR GENERAL, <https://oig.justice.gov/sites/default/files/archive/special/0306/index.htm> (last visited June 18, 2026).

⁸⁹ See, e.g., *US: Misuse of the Material Witness Statute* | Human Rights Watch (Jan. 28, 2011), <https://www.hrw.org/news/2011/01/28/us-misuse-material-witness-statute>.

⁹⁰ Patrick Toomey & Ashley Gorski, *The Privacy Lesson of 9/11: Mass Surveillance Is Not the Way Forward* | ACLU, AMERICAN CIVIL LIBERTIES UNION (Sept. 7, 2021), <https://www.aclu.org/news/national-security/the-privacy-lesson-of-9-11-mass-surveillance-is-not-the-way-forward>.

convictions on charges reflecting dangerous crimes.”⁹¹ These high-profile national security measures, however, reinforced in the public imagination the preexisting stereotypes of Muslims as dangerous foreigners likely to commit terrorism.

This Court should consider this context when examining the State of Florida’s actions against CAIR.

V. CAIR’S ROLE IN FIGHTING ANTI-MUSLIM BIGOTRY⁹²

CAIR’s civil rights work focuses on defending individuals who have been the victims of religious discrimination, defamation, or hate crimes. It monitors governmental activities that impact the American Muslim community, testifies before governmental agencies, and organizes events calculated to draw lawmakers’ attention to the concerns of American Muslims. CAIR’s media department educates the media about Muslims and corrects media errors when they occur. Its action alerts mobilize American Muslims and other concerned people about issues of concern to American Muslims. The CAIR research team conducts empirical work on the lives of American Muslims which forms the basis for its annual report on American civil rights dating back to 1995.⁹³ It has brought over 100

⁹¹ The Center on Law and Security, *The Terrorist Trials: A Report Card*, https://www.lawandsecurity.org/wp-content/uploads/2011/09/12_terroristtrialreportcard.pdf (last visited June 23, 2026).

⁹² The information cited in this section of the brief has been prepared based on publicly available information.

⁹³ *CAIR Civil Rights Reports* (Feb. 1, 2020), <https://www.cair.com/resources/cair-civil-rights-reports/>.

lawsuits, issued over 600,000 “legislative action alerts,” written more than fifty reports, and garnered over 98,000 media mentions.⁹⁴

Many of its cases were of national importance, broadly vindicating First Amendment rights, religious freedom and immigrant rights. These include: (i) the so-called “Muslim Ban” litigation (2017-24); (ii) the Abercrombie & Fitch Hijab Cases (2010-15); (iii) the University of Maryland Students for Justice in Palestine settlement (2024); (iv) the Texas anti-BDS litigation; (v) religious accommodation and prisoners rights’ cases, including a class action against the City of New York challenging—and successfully changing—the New York Police Department’s policy of requiring the removal of religious head coverings for mug shots⁹⁵; and (vi) airport watchlist, border, and government surveillance cases.

CAIR-California, along with other civil rights groups, successfully challenged the Muslim Ban in court and obtained a federal settlement that resulted in the reconsideration of 25,000 visa denials.⁹⁶ CAIR-San Francisco, along with Legal Aid Society – Employment Law Center and the EEOC, settled a three-and-a-half-year lawsuit against Abercrombie & Fitch, which had refused to permit a Muslim female employee to wear

⁹⁴ *CAIR - Council on American-Islamic Relations*, <https://www.cair.com/> (last visited June 14, 2026).

⁹⁵ *See Clark v. City of New York*, No. 1:18-cv-02334 (S.D.N.Y.).

⁹⁶ *Major Legal Victory Against Muslim Ban*, CAIR CALIFORNIA, https://ca.cair.com/civil_rights/major-legal-victory-against-muslim-ban/ (last visited June 14, 2026).

her religiously-mandated head scarf at work. The employer agreed to pay damages and alter its policies to permit employees to wear religiously-mandated clothing while on the job.⁹⁷ The University of Maryland settlement produced a judgment of \$100,000 and changed University policies, vindicating the First Amendment despite heightened assaults on campus free expression.⁹⁸ CAIR obtained two judgments from federal district courts that a Texas law prohibiting the state from contracting with anyone who participated in a boycott of Israel violated the First Amendment, vindicating the right of all Americans to participate in politically-motivated economic boycotts without fear of the government threatening their livelihoods.⁹⁹

CAIR has intervened on numerous occasions to vindicate the religious freedom rights of Muslim prisoners. One involved the right of Muslims to timely receive halal food (food prepared in a manner

⁹⁷ *CAIR & LAS-ELC Announce Settlement in Abercrombie & Fitch Hijab Lawsuits*, LEGAL AID AT WORK (Sept. 23, 2013), <https://legalaidatwork.org/cair-las-elc-announce-settlement-in-abercrombie-fitch-hijab-lawsuits/>.

⁹⁸ *Palestine Legal, CAIR Announce Historic \$100K Settlement from U of Maryland for Unlawfully Suppressing Pro-Palestinian Student Speech* (Aug. 6, 2025), https://www.cair.com/press_releases/palestine-legal-cair-announce-historic-100k-settlement-from-u-of-maryland-for-unlawfully-suppressing-pro-palestinian-student-speech/.

⁹⁹ *BREAKING: CAIR Wins Landmark First Amendment Victory Striking Down Texas Anti-BDS Law* (Apr. 25, 2019), https://www.cair.com/press_releases/breaking-cair-wins-landmark-first-amendment-victory-striking-down-texas-anti-bds-law/; *BREAKING NEWS: CAIR Welcomes Federal Judge's Ruling That Texas Anti-BDS Law Violates Client's Free Speech Rights* (Jan. 28, 2022), https://www.cair.com/press_releases/breaking-cair-welcomes-federal-judges-ruling-that-texas-anti-bds-law-violates-clients-free-speech-rights/.

consistent with Islamic law) so they could observe the dawn-to-dusk Ramadan fast,¹⁰⁰ and the second involved a prisoner abuse case in Missouri that resulted in a jury award of \$667,000.¹⁰¹

CAIR represented numerous Muslims arbitrarily placed on no-fly lists. The FBI removed more than ten persons whom CAIR represented from no-fly lists after CAIR sued on their behalf.¹⁰² It also prevailed in a no-fly list case against the FBI before the Supreme Court in 2024.¹⁰³ The FBI had placed the plaintiff, an American Muslim, on the no-fly list when he refused to become an informant. A unanimous Supreme Court allowed the suit to proceed, even though the plaintiff had been removed from the no-fly list.¹⁰⁴

CAIR thus plays a crucial role in vindicating the civil rights of American Muslims at a time polls show they are among the most hated

¹⁰⁰ Azka Mahmood, *BREAKING: CAIR, CAIR-Georgia Welcome Settlement with DeKalb County Jail Over Denial of Halal Food, Ramadan Meals for Muslim Inmates*, CAIR GEORGIA (Apr. 20, 2022), <https://cairgeorgia.org/press-releases/breaking-cair-cair-georgia-welcome-settlement-with-dekalb-county-jail-over-denial-of-halal-food-ramadan-meals-for-muslim-inmates/>.

¹⁰¹ The Associated Press, *Federal Jury Awards \$667K to Muslim Men Pepper-Sprayed by Prison Guards While Praying*, KRCG (Mar. 10, 2026), <https://krcgtv.com/news/local/federal-jury-awards-667k-to-muslim-men-pepper-sprayed-by-prison-guards-while-praying>.

¹⁰² *CAIR Calls 9-0 U.S. Supreme Court Victory in Watchlist Case a 'Historic Milestone for American Muslims'* (Mar. 19, 2024), https://www.cair.com/press_releases/cair-calls-9-0-u-s-supreme-court-victory-in-watchlist-case-a-historic-milestone-for-american-muslims/.

¹⁰³ *FBI v. Fikre*, 601 U.S. 234 (2024).

¹⁰⁴ *CAIR Calls 9-0 U.S. Supreme Court Victory in Watchlist Case a 'Historic Milestone for American Muslims,' supra* note 102.

religious minorities in American society.¹⁰⁵ It is no exaggeration to say that CAIR for Muslim-Americans is comparable to the NAACP for African Americans: Both serve as linchpins for the defense of American Muslims' and African Americans' civil and political rights in the United States.

CONCLUSION

The Executive Order targets a national civil rights organization that is essential to the protection and well-being of the American Muslim community. It purports to sanction any party that gives it “material support.”¹⁰⁶ The expansive definition of “material support” in Florida law¹⁰⁷ includes “expert advice or assistance,” something particularly relevant to *amici*.

Pursuant to § 2 of the Executive Order, anyone who works with CAIR could potentially be deemed to have provided “material support,”

¹⁰⁵ *Americans Express Increasingly Warm Feelings Toward Religious Groups*, PEW RSCH. CTR., Feb. 15, 2017,

<https://www.pewresearch.org/religion/2017/02/15/americans-express-increasingly-warm-feelings-toward-religious-groups/>.

¹⁰⁶ Fla. Exec. Order No. 25-244, § 2 (Dec. 5, 2025),

<https://www.flgov.com/eog/sites/default/files/executive-orders/2025/EO%2025-244.pdf> (“Unless prohibited by federal or state law, all other Executive and Cabinet

Agencies shall further undertake all lawful action to prevent any terrorist organization designated in Section 1, or any person known to have provided material support or resources to such organization as defined in section 775.33(1)(c), Florida Statutes, from receiving any contract, employment, funds, or other benefit or privilege from such Executive or Cabinet Agency or any entity regulated by such Executive or Cabinet Agency or from any County or Municipality of the State.”) (last visited June 14, 2026) (emphasis added).

¹⁰⁷ Fla. Stat. § 775.33(1)(c) (2025).

even when such support lawfully upholds constitutional rights.¹⁰⁸ The consequences would be severe: a prohibition from receiving any benefits from Florida. CAIR is a national grassroots organization with twenty-five independent chapters throughout the country. It would be virtually impossible for *amici* to engage in any meaningful study of Muslim rights in the United States, or advocacy for Muslim rights in the United States, without interacting with CAIR.

Florida seeks to disable American Muslims and their allies from acting to protect and promote their rights as American citizens. *Amici* urge this Court to affirm the district court's decision below and vindicate the equal citizenship of American Muslims.

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¹⁰⁸ See *Holder v. Humanitarian Law Project*, 561 U.S. 1 (2010).

CERTIFICATE OF COMPLIANCE

I hereby certify pursuant to Fed. R. App. P. 32(g)(1) that this Brief complies with the type-volume limitation of Fed. R. App. P. 29(a)(5) and Fed. R. App. P. 32(a)(7)(b) because this Brief contains 6,493 words, in other words, no more than 6,500 words, including footnotes and excluding the parts of the Brief exempted by Fed. R. App. P. 32(f). In addition, this Brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this Brief has been prepared in a proportionally spaced typeface using Microsoft Word 2016, Century Schoolbook font in 14 point size, with footnotes in Century Schoolbook font in 12 point size.

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CERTIFICATE OF SERVICE

I hereby certify that, on this 9th day of July, 2026, I caused the foregoing brief to be filed electronically with the Court, where they are available for viewing and downloading from the Court's ECF system, and that such electronic filing automatically generates a notice of electronic filing constituting service. I certify that all parties required to be served have been served.

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