



## CENTER FOR SECURITY POLICY

Frank J. Gaffney, Jr., President & CEO

June 16, 2010

The Honorable Charles E. Schumer  
United States Senate  
313 Hart Senate Office Building  
Washington, D.C. 20510-3201

Dear Senator Schumer:

I write to alert you to a possible violation of the Foreign Agents Registration Act (FARA) in which you were apparently the target of a foreign influence operation. It is our assessment that the Council on American-Islamic Relations (CAIR) was operating as an unregistered foreign agent when they urged you to retract your support for Israel's blockade of Hamas-controlled Gaza. CAIR-New York called on "New York Muslims and all people of conscience" to demand via telephone and Facebook that you retract your statement. In a June 14, 2010 press release CAIR-NY Community Affairs Director Faiza N. Ali called your statement "unconscionable, reprehensible and in blatant disregard for the sanctity of human life." We believe that this specific act to pressure an elected official meets the definition of a political influence operation under the terms of the Foreign Agents Registration Act (FARA).

FARA is a disclosure statute that requires entities acting in the United States as agents of foreign principals in a political capacity to register and to make periodic public disclosure of their relationship.

Specifically, FARA § 611 (o) states that foreign agents who engage in any activity to "influence any agency or official of the Government of the United States or any section of the public within the United States" must register as a foreign agent and report such activity to the Department of Justice. At the CAIRObservatory.org website (<http://www.cairobservatory.org>), we provide documentation showing CAIR has met and coordinated with representatives of foreign principals on more than 30 occasions and engaged in over 60 political influence operations on their behalf. CAIR has failed to report these influence operations.

In addition, FARA § 612 (a) (5) requires that a foreign agent report "the nature and amount of contributions, income, money, or thing of value" that they receive from foreign principals. At the CAIRObservatory.org website we provide documentation showing that CAIR has received more than \$6.6 million in cash and loans and more than \$50 million in pledges from foreign principals based in Saudi Arabia, Iran, the United Arab Emirates and Kuwait. CAIR has failed to report these payments.

FARA § 618 (a) also states that any foreign agent who willfully violates any provision of the law may be "punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both." Complete information on these and other aspects of the FARA code can be found at the Department of Justice website (<http://www.justice.gov/criminal/fara/>).

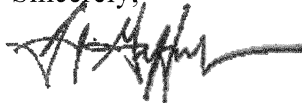
It is our opinion that the evidence showing that CAIR should register as a foreign agent is conclusive. Hundreds of Americans including elected officials, community groups, corporations and private citizens have been – and continue to be – targeted by CAIR. CAIR continues to deny these facts, but as John Adams famously wrote: “Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence.”

The fact is that CAIR has a long history of trouble with the law. CAIR was named as an unindicted co-conspirator in *U.S. v. Holy Land Foundation*, the largest terrorism finance trial in America’s history. CAIR is being sued by Muslim, African-American and Hispanic families for defrauding them instead of giving them promised legal help. Four CAIR leaders have been convicted of felonies including terrorism. Only 1% of CAIR’s latest reported revenues actually came from Muslim-American membership dues. And according to the February 2, 2010 edition of the news website Politico.com, “A grand jury that subpoenaed documents relating to the Council on American-Islamic Relations is investigating possible violations of federal laws barring financial transactions with terrorist groups and countries subject to U.S. sanctions, according to a new court filing.”

We have concluded on the basis of this evidence that CAIR’s influence operations appear to be designed to intimidate all Americans, including Muslim Americans, in ways that endanger the First Amendment and national security. CAIR attempts to silence anyone opposed to the Muslim Brotherhood’s insinuation of Shariah – the totalitarian doctrine of authoritative Islamic law – into the United States, with a relentless program of accusations of bias, racism and “Islamophobia.” We urge you to join us in opposing these political influence operations funded by foreign principals.

The interests of the American people can be served only if CAIR follows the law, registers as a foreign agent with the FARA office, and reports all political and public propaganda initiatives. We ask you to request that the FARA Unit investigate CAIR’s attempt to curtail your ability to speak freely as a United States Senator . The FARA Registration Unit of the Counterespionage Section (CES) is located in the National Security Division (NSD) of the Department of Justice (1400 New York Avenue, N.W., Suite 100, Washington, D.C. 20005).

Sincerely,



Frank J. Gaffney, Jr.

President & CEO

Attachments:

Letter to Foreign Agents Registration Unit

CAIR press release dated June 14, 2010