

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICA FIRST LEGAL FOUNDATION,

Plaintiff,

v.

MERRICK GARLAND, in his official
capacity as Attorney General of the United
States,
950 Pennsylvania Ave., NW
Washington, DC, 20530,

DEPARTMENT OF JUSTICE,
950 Pennsylvania Ave., NW
Washington, DC 20530,

Defendants.

Civil Action No.: 24-3105

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

1. The Foreign Agents Registration Act, 22 U.S.C. § 611 *et seq.*, requires certain agents of foreign principals who are engaged in political or other specified activities to make periodic public disclosure of their agency relationship and of the activities, receipts, and disbursements in support of thereof.

2. The Act is the paradigmatic public disclosure statute, enacted for the express purpose of ensuring citizens are “informed as to the identities and activities of [foreign agents]” so that they will “be better able to appraise them and the purposes for which they act.” H.R. Rep. No. 89-1470, at 2 (1966), <https://perma.cc/MT42-TRME>.

3. The Act protects the public’s right to know what foreign governments and corporations are up to, protecting our national defense, economic security, and

Constitutional system. Among other things, foreign agent registration provides a window into the foreign business relationships and entanglements of high-ranking political officials and their family members and a critical path for exposing influence peddling.

4. The Department of Justice had actual knowledge that AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine (“AMP”), National Students for Justice in Palestine (“NSJP”), Osama Abuirshaid, Hatem Bazian, and WESPAC Foundation, Inc. (“WESPAC”) have been statutorily defined foreign agents of the terror group Hamas and other “Palestinian” principals and therefore were legally obligated to register as such. However, the Department has not required any of them to register nor undertake a waiver rulemaking.

5. America First Legal Foundation is a national nonprofit legal foundation that advocates for “America First” policies to protect our sovereignty, economic security, and Constitutional order. To that end, it gathers official information, analyzing and disseminating it through reports, press releases, media, and communications with congressional oversight committees. *See, e.g., America First Legal Releases New Evidence, Files Formal Complaint With the DOJ to Investigate UK-Based “Center for Countering Digital Hate” for Engaging in a Foreign Influence Campaign to Stop Free Speech in the United States*, AM. FIRST LEGAL (Oct. 31, 2024), <https://perma.cc/R82Q-HL3T>; *America First Legal Releases More of Biden’s Vice Presidential Records Revealing Influence Peddling and Corruption Between the White*

House and Hunter's Private Foreign Business Dealings, AM. FIRST LEGAL (May 3, 2023), <https://perma.cc/D4ZC-UKH5>.

6. Foreign agent registration information helps America First Legal and those with whom it communicates evaluate the policies and public opinion messaging of the Biden-Harris Administration, its allies, and foreign economic and political actors.

7. On August 16, 2024, America First Legal asked the defendants to comply with the Act by requiring registration under the Foreign Agents Registration Act for AMP, NSJP, Abuirshaid, Bazian, and WESPAC. *See* Letter from Reed. D. Rubinstein, Senior Vice President, Am. First Legal Found., to Matthew G. Olsen, Ass't Att'y Gen. for Nat'l Sec., U.S. Dep't of Just. (Aug. 16, 2024), Exhibit 1; *see also* *America First Legal Slams the Biden-Harris Administration's Failure to Enforce Laws Against the Pro-Hamas Network in the United States*, AM. FIRST LEGAL (Aug. 19, 2024), <https://perma.cc/N6J7-YRZV>.

8. If the Department of Justice becomes aware that a certain individual is required to register under the Foreign Agents Registration Act but that such registration has not occurred, then the Department has a nondiscretionary duty either to require it or to undertake a waiver rulemaking. Nevertheless, to date, the defendants have refused to do either of these things.

9. The defendants' refusal to require AMP, NSJP, Abuirshaid, Bazian, and WESPAC to register as foreign agents denies America First Legal information which

must be publicly disclosed pursuant to the Foreign Agents Registration Act, and to which it has a statutory right.

10. Furthermore, this information is directly related both to America First Legal's informed participation in the political process regarding its advocacy of America First policies aimed at protecting our nation's sovereignty, borders, economic security, and Constitution and to its core public education mission of disclosing relevant information regarding the operation of the government and the integrity of public officials.

11. The defendants have therefore caused America First Legal the very harm that Congress sought to prevent by requiring disclosure in the first place, inflicting injury in fact. *Campaign Legal Ctr. v. Fed. Election Comm'n*, 31 F.4th 781, 789 (D.C. Cir. 2022); *Elec. Priv. Info. Ctr. V. Presidential Advisory Comm'n on Election Integrity*, 878 F.3d 371, 378 (D.C. Cir. 2017).

12. Accordingly, America First Legal seeks relief under the Administrative Procedure Act, 5 U.S.C. § 706.

Jurisdiction and Venue

13. This Court has jurisdiction under 28 U.S.C. § 1331 and 5 U.S.C. § 702.

14. Venue is proper under 28 U.S.C. § 1391(b)(1), (2).

Parties

15. The plaintiff America First Legal Foundation is a national, nonprofit legal foundation working to promote the rule of law, prevent executive overreach, protect due process and equal protection, and educate Americans about the individual

rights guaranteed under the Constitution and laws of the United States. America First Legal’s mission includes promoting government transparency and accountability by gathering official information, analyzing it, and disseminating it through reports, press releases, media, and communications with congressional oversight committees, all to educate the public and to keep government officials accountable for their duty to faithfully execute, protect, and defend the Constitution and laws of the United States. America First Legal’s email list contains over 139,000 unique addresses; it has over 300,000 followers on X, its Founder and President has over 767,000 followers on X, and its Facebook page has 239,000 followers.

16. The defendant Department of Justice is a federal agency.

17. The defendant Merrick Garland is the Attorney General of the United States. He is sued in his official capacity.

Background

The Foreign Agents Registration Act

18. The Foreign Agents Registration Act, Pub. L. 75-583, as amended (codified at 22 U.S.C. § 611 *et seq.*) protects the “national defense, internal security, and foreign relations of the United States” by requiring public disclosure of the persons engaging in influence and advocacy activities for or on behalf of foreign governments, foreign political parties, and other foreign principals “so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities.” *See Meese v. Keene*, 481 U.S. 465, 469 (1987) (quoting 56

Stat. 248, 77 Cong. Ch. 263, (Apr. 29, 1942) (cleaned up)); JACOB R. STRAUS, CONG. RSCH. SERV., R46435, FOREIGN AGENTS REGISTRATION ACT (FARA) at 7–9 (2020), <https://perma.cc/CUJ9-EBS2>.

19. The Act was amended in the 89th Congress to shift its focus from propaganda to advocacy activities. During the Senate debate, Sen. James Fulbright explained why:

The basic purpose of the bill is to update the Foreign Agents Registration Act to reflect the changes in the nature of the U.S. role in world affairs today. A quarter of a century ago, the original targets of this act were the subversive agent and propagandist. But as our interests throughout the world have multiplied, the efforts of foreign interests to influence American foreign and domestic politics have become correspondingly greater and more subtle. **The place of the old foreign agent has been taken by the professional lobbyists and public opinion manipulators** whose object is not [to] subvert the Government but to influence its policies to the satisfaction of his client. The trench coat has been replaced by the gray flannel suit.

111 CONG. REC. 6984 (1965) (statement of Sen. Fulbright) (emphasis added), <https://perma.cc/EQZ5-AZNE>.

20. Currently, the Act defines a “foreign principal” as a “government of a foreign country and a foreign political party,” “a person outside the United States,” and “a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.” 22 U.S.C. § 611(b).

21. The Act further defines an “agent of a foreign principal” as “any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised,

directed, controlled, financed, or subsidized in whole or in major part by a foreign principal.” 22 U.S.C. § 611(c)(1). It also includes “any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal.” 22 U.S.C. § 611(c)(2).

22. The Act requires the agent of a foreign principal to register if he or she acts, “within the United States,” “under the direction or control, of a foreign principal” and “for or in the interests of” that foreign principal, “engages ... in political activities”; “acts ... as a public relations counsel, publicity agent, information-service employee or political consultant”; “solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value”; or “represents the interests of such foreign principal before any agency or official of the Government of the United States.” 22 U.S.C. § 611(c)(1)(i)–(iv).

23. The Act further requires the registration statement to contain the “degree of specificity necessary to permit meaningful public evaluation of each of the significant steps taken by a registrant to achieve the purposes of the agency relation.” 28 C.F.R. § 5.210; *see also* 22 U.S.C. § 612.

24. The Department of Justice’s regulations require registrants to “keep and preserve” eight different categories of “books and records,” including “communications to and from all foreign principals and all other persons, relating to the registrant’s activities on behalf of, or in the interest of any of his foreign principals”; communications “relating to political activity on the part of any of the

registrant's foreign principals"; and "bookkeeping and other financial records." 28 C.F.R. § 5.500(a). Such records must be kept "readily accessible for inspection" by the Department. 28 C.F.R. § 5.500(b).

25. The Act further requires that "[r]egistration statements, informational materials, Dissemination Reports, and copies of political propaganda filed under section 4(a) of the Act, shall be available for public examination at the Registration Unit on official business days, during the posted hours of operation." 28 C.F.R. § 5.600; *see also* 22 U.S.C. § 616(a).

26. The Act further requires registration statements "to be filed with the Attorney General." 22 U.S.C. § 611(k). It allows the Attorney General "by regulation" to provide for an exemption from registration. 22 U.S.C. § 612(f). However, neither the publication of registration statements nor the rulemaking required for waivers is committed to the Attorney General's discretion.

27. The Act defines the term "person" to include "an individual, partnership, association, corporation, organization, or any other combination of individuals." 22 U.S.C. § 611(a).

28. On its website, the Department of Justice invites members of the public to "Report a Violation" of the Act. *FARA Enforcement*, U.S. DEP'T OF JUSTICE (updated Mar. 15, 2023), <https://perma.cc/WN3Y-W3ZF>.

29. The Department reviews a range of publications, websites, Lobbying Disclosure Act filings for indications of a connection between a potential agent and a foreign principal, existing Foreign Agents Act Registration information, referrals

from other government offices or agencies, and information reported by the public to identify and make contact with individuals or entities that may have an obligation to register. OFF. OF THE INSPECTOR GEN., U.S. DEP'T OF JUST., AUDIT DIV. 16-24, AUDIT OF THE NATIONAL SECURITY DIVISION'S ENFORCEMENT AND ADMINISTRATION OF THE FOREIGN AGENTS REGISTRATION ACT at 13 (2016), <https://perma.cc/8G8W-K2JM>.

30. When a potential obligation to register is found, the Department issues a letter of inquiry to the potential registrant advising of requirements under the Act and requests additional information relevant to registration status. The Department has found that most of the recipients of such letters respond within a reasonable amount of time. *Id.*

31. If there is no response to the letter, a seemingly false response, or another reason to believe a significant offense has been committed, the Department refers the matter to the Federal Bureau of Investigation. *Id.*

32. In exercising its prosecutorial discretion, the Department often declines to criminally prosecute cases even when there is solid evidence of a violation of the Act. Instead, because the primary goal of the Act is to ensure appropriate registration and public disclosure, the Department has a clear preference toward pursuing registration for the alleged violators. *Id.* at 10–11.

33. Under the Act, “[i]f the Attorney General determines that a registration statement does not comply with the requirements of this subchapter or the regulations issued thereunder, he *shall* so notify the registrant in writing.” 22 U.S.C. § 618(g) (emphasis added).

34. As alternatives to criminal enforcement, the Department can send the potential violator a Notice of Deficiency (“NOD”), a Notice of Non-Compliance (“NONC”), or the Department may even seek civil injunctive relief under 22 U.S.C. § 618(f). *See, e.g.*, Complaint ¶¶ 22, 27, *Att’y Gen. of the United States v. Federación de Alcades Pedaneo*, No. 5:23-cv-1575 (E.D. Pa. Apr. 25, 2023), <https://perma.cc/6X98-PQAT>.

Foreign Principals

35. Hamas, the Palestinian Authority, the Palestine Liberation Organization, Islamic Jihad, and other similar “Palestinian” organizations or persons are all either a “foreign government,” a “foreign political party,” a “person outside of the United States,” or a “combination of persons organized under the laws of or having its principal place of business in a foreign country.” Accordingly, they are all foreign principals under the Act. 22 U.S.C. § 611(b)(1)–(3).

36. Mohammad Raad, a Hezbollah MP, stated in an interview that Arabs must invest in change in the west. He said, “We’re currently investing in protests and demonstrations in Western countries, especially among college students,” as these students will bring “positive activity” for groups like his in the future. Eyal Yakoby (@EYakoby), X, (Oct. 20, 2024, 7:06 PM), <https://perma.cc/3VBJ-2UF7>. Mohammad Raad, a foreign person outside the United States, and Hezbollah, a foreign political party, are foreign principals under the Act. 22 U.S.C. § 611(b)(1), (2).

American Muslims for Palestine

37. AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine (“AMP”) is a 501(c)(3) non-profit corporation incorporated in California with its principal place of business in Falls Church, Virginia. *From Ivory Towers to Dark Corners: Hearing Before the H. Comm. on Ways & Means*, 118th Cong. (2023) (statement of Dr. Jonathan Schanzer, Senior Vice President for Rsch., Found. for Def. of Democracies), <https://perma.cc/A9DJ-EMH6>.

38. It is essentially a new name for the Hamas-funding and public relations enterprise formerly led by front groups called the Islamic Association for Palestine and the Holy Land Foundation. *See generally id.*; *Boim v. Am. Muslims for Palestine*, 9 F.4th 545, 549–50 (7th Cir. 2021); Will Carless & Romina Ruiz-Goirienna, *Amid Campus Protests, Organizers with Past Ties to Hamas Support Also Emerge*, USA TODAY (May 22, 2024), <https://perma.cc/6KA7-RZDY>; LORENZO VIDINO, THE HAMAS NETWORK IN AMERICA, GW PROGRAM ON EXTREMISM (Oct. 13, 2023), <https://perma.cc/W8MM-XDHX>.

39. The Islamic Association for Palestine was a Hamas public relations counsel founded and controlled by members of Hamas’s senior leadership, including Khaled Mashal, the former head of Hamas’s Political Bureau until 2017 and current leader of Hamas’s diaspora office, and financed by Mousa Abu Marzook (a/k/a Abu Omar, Abu Umar, Abu Rizq) (“Marzook”), a “Specially Designated Global Terrorist.” LORENZO VIDINO, *supra*, at 7–8; Complaint ¶ 22, *Parzier v. AJP Educ. Found., Inc.*,

No. 1:23-cv-724 (E.D. Va. May 1, 2024), <https://perma.cc/VCS2-CTC6>; *Sanctions List Search*, OFF. OF FOREIGN ASSETS CONTROL, <https://perma.cc/U9B4-5DNU>.

40. The entity called “American Muslims for Palestine” uses the entity called “AJP Educational Foundation, Inc.” as its fiscal sponsor. *About AMP*, AM. MUSLIMS FOR PALESTINE, <https://perma.cc/5M7E-T8GF>; *see also* Press Release, Jason Miyares, Attorney General of Virginia, Attorney General’s Office Opens Investigation Into American Muslims for Palestine Nonprofit (Oct. 31, 2023), <https://perma.cc/68UW-GYM6>.

41. AMP was created to undertake as the successor to the Holy Land Foundation and the Islamic Association for Palestine. It operates at the request or under the direction of foreign principals, *i.e.*, senior Hamas leadership. AMP as an agent of a foreign principal under 22 U.S.C. § 611(c)(1)(i). AMP has continued the Islamic Association for Palestine’s objective of being a Hamas public relations counsel, thus qualifying AMP as an agent of a foreign principal under 22 U.S.C. § 611(c)(1)(ii). AMP is also a Hamas-funding enterprise, thus also qualifying as an agent of a foreign principal under 22 U.S.C. § 611(c)(1)(iii). *See generally Boim v. Am. Muslims for Palestine*, 9 F.4th 545, 549–50 (7th Cir. 2021); Will Carless & Romina Ruiz-Goiriena, *Amid Campus Protests, Organizers with Past Ties to Hamas Support Also Emerge*, USA TODAY (May 22, 2024), <https://perma.cc/6KA7-RZDY>.

National Students for Justice in Palestine

42. National Students for Justice in Palestine (“NSJP”) is an unincorporated association of “chapters.” AMP maintains organizational

management and control of its activities and messaging. DAN DIKER WITH JAMIE BERK, STUDENTS FOR JUSTICE IN PALESTINE at 7, JERUSALEM CTR. FOR PUB. AFFS. (2018), <https://perma.cc/46AB-L6V9>.

43. NSJP, through its leadership and recruited grassroots supporters, has (1) regularly identified itself as a supporter of, and sometimes even part of, Hamas and its affiliated movement; (2) disseminated instructions from Hamas and other foreign terrorist organizations; (3) hosted speakers that are Specially Designated Global Terrorists or affiliated with them; and (4) provided direct aid to the same. Complaint ¶ 38, *Parzier v. AJP Educ. Found., Inc.*, No. 1:23-cv-724 (E.D. Va. May 1, 2024), <https://perma.cc/VCS2-CTC6>.

44. For Example, within hours of Hamas’s October 7th attack, Hamas leader Ismail Haniyeh called for Hamas’s “resistance abroad” to “join this battle any way they can.” He also stated, “[l]et us be partners in creating this great victory, inshallah.” *Id.* ¶ 52.

45. NSJP and AMP responded immediately. Within hours of the attack, the language of the Hamas-authored disinformation campaign appeared in NSJP propaganda across social media and on college campuses in the United States. *Id.* ¶ 53.

46. On October 8th, NSJP released a “Day of Resistance [sic] Toolkit” across more than 300 American college campuses and on the internet. This “Toolkit” is political and public relations advocacy for Hamas under the Foreign Agents Registration Act. *Id.* ¶¶ 53–75.

47. NSJP exists to carry out activities at the request or under the direction of Hamas and other foreign terrorist organizations. Accordingly, NSJP qualifies as an agent of a foreign principal under 22 U.S.C. § 611(c)(1). NSJP hosted terrorists as speakers and spread instructions from Hamas and other groups, 22 U.S.C. § 611(c)(1)(i), (ii), and they also they provided direct aid to Hamas and other foreign terrorist organizations. 22 U.S.C. § 611(c)(1)(iii).

Osama Abuirshaid

48. Abuirshaid is the Executive Director and a board member of AMP. *Our Team*, AM. MUSLIMS FOR PALESTINE, <https://perma.cc/B24J-9GBR>. He is also a board member of the U.S. Council of Muslim Organizations (USCMO), an umbrella organization of eight major national American Muslim organizations, some with direct Hamas and other foreign principal ties. *Id*; see also *United States Council of Muslim Organizations* (USCMO), INFLUENCEWATCH, <https://perma.cc/8W53-8TWA>.

49. Abuirshaid engages in activities at the direction of and/or on behalf of a foreign principal. He disseminates propaganda and engages in political activity for the benefit of Hamas. In fact, in 2014, Abuirshaid “was featured on the website of Hamas’s self-declared military wing, the al-Qassam Brigades. Schanzer, *supra* at 9.

50. On May 15, 2024, at his direction, AMP put out a notice explicitly identifying itself with a foreign principal: “At the 76th Anniversary of the Nakba, **We Honor Our History of Resilience**[.] On this day, Palestinians mark the Nakba, or ‘Catastrophe,’ of 1948 with clear reminders that the Nakba is still ongoing, or *mustamirra*.” See *The Ongoing Nakba and Palestinian Resilience to Live Free*, AM.

MUSLIMS FOR PALESTINE (May 15, 2024), <https://perma.cc/3LDH-CDMC> (emphasis added).

51. Aburshaid engages in activities at the order, request, or under the direction or control of a foreign principal. 22 U.S.C. § 611(c). He also directed AMP to state, “We Honor Our History of Resilience” (“We” and “Our” describing Palestine), showing that he holds himself out to be an agent of Palestine. 22 U.S.C. § 611(c)(2). Aburishaid’s dissemination of propaganda in support of Hamas further qualifies him as an agent of a foreign principal under 22 U.S.C. § 611(c)(1)(i), (ii).

Hatem Bazian

52. Bazian is AMP’s Founder and Chairman. *Our Team*, AM. MUSLIMS FOR PALESTINE, <https://perma.cc/B24J-9GBR>; Complaint ¶ 29, *Parzier v. AJP Educ. Found., Inc.*, No. 1:23-cv-724 (E.D. Va. May 1, 2024), <https://perma.cc/VCS2-CTC6>.

53. According to one scholar, he has “one foot in the Hamas-adjacent world” and “one foot in the more, let’s say, left-leaning pro-Palestinian, SJP ... kind of world. He does both. He’s sort of the bridge between the two worlds at a very senior level.” See Ari David Blaff, *Meet the Student Group—With Alleged Links to Hamas—Driving the Anti-Israel Encampments*, NAT’L POST (June 18, 2024), <https://perma.cc/AAR9-A6RX> (quoting Lorenzo Vidino, terror finance expert at George Washington University’s Program on Extremism).

54. The United States Government found that Bazian knowingly raised money for a Hamas front group called “Kindhearts” in 2004. See Schanzer, *supra* at 10–11.

55. In 2006, the U.S. Department of the Treasury froze KindHearts's assets because it coordinated with an official from the Holy Land Foundation after the Holy Land Foundation was designated as a terrorist entity. *Id.* at 10.

56. Accordingly, Bazian solicited, collected, disbursed, or dispensed, contributions, loans, money, or other things of value for or in the interest of a foreign principal. *See* 22 U.S.C. § 611(c)(1)(iii).

WESPAC

57. WESPAC reportedly acts as a fiscal sponsor for pro-Hamas and Muslim Brotherhood agents and instrumentalities such as NSJP, the United States Palestinian Community Network, the Palestinian Youth Movement, and Adalah New York. Luke Tress, *Westchester Charity Manages Funding for Hardline Pro-Palestinian Groups*, JERUSALEM POST (Feb. 2, 2024), <https://perma.cc/63DY-AW58>; see also Complaint ¶ 37, *Parzier v. AJP Educ. Found., Inc.*, No. 1:23-cv-724 (E.D. Va. May 1, 2024), <https://perma.cc/VCS2-CTC6>.

58. As previously stated, NSJP carries out activities at the request or under the direction Hamas and other foreign terrorist organizations, hosts terrorists as speakers and spread instructions from Hamas and other groups, and provides direct aid to Hamas and other foreign terrorist organizations. ¶¶ 42–47.

59. WESPAC's fiscal sponsorship means that these organizations may benefit from tax-deductible donations and grants without the transparency and disclosure required of exempt organizations under the Internal Revenue Code. Joseph Simonson, *Is This Suburban New York Charity a Terrorist Front Group*, WASH. FREE

BEACON (May 20, 2024), <https://perma.cc/2YEV-SW5U>. According to Kyle Shideler, the director and senior analyst for homeland security and counterterrorism at the Center for Security Policy, “a lot of these fiscal sponsors have some historical relationship to foreign influence networks that never seem to have gone away.” *Id.*

60. Accordingly, WESPAC solicited, collected, disbursed, or dispensed, contributions, loans, money, or other things of value for or in the interest of a foreign principal. *See* 22 U.S.C. § 611(c)(1)(iii).

Claim for Relief

Violation of the Administrative Procedure Act

61. America First Legal repeats paragraphs 1–60.

62. The Attorney General has a ministerial and non-discretionary duty to ensure that AMP, NSJP, Abuirshaid, Bazian, and WESPAC each file a “true and complete registration statement” under oath and on a form prescribed by the Attorney General under 22 U.S.C. § 612(a).

63. On August 16, 2024, America First Legal filed a complaint with the Department alleging that AMP, NSJP, Abuirshaid, Bazian, and WESPAC were required to register as a foreign agent. *See* Exhibit 1. To date, the Department has neither adjudicated this complaint nor required AMP, NSJP, Abuirshaid, Bazian, and WESPAC to register as a foreign agent, thereby unlawfully withholding and unreasonably delaying nondiscretionary agency action.

64. The defendants’ refusal to require AMP, NSJP, Abuirshaid, Bazian, and WESPAC to file registration statements has deprived America First Legal of access to information for which it has a statutory right. This information is directly related

both to America First Legal's informed participation in the political process with respect to its advocacy of America First policies aimed at protecting our nation's sovereignty, economic security, and Constitution; and to its core public education mission of disclosing relevant information regarding the operation of the government and the integrity of public officials. Therefore, America First Legal has suffered an injury in fact.

65. Congress directed the defendants first to require AMP, NSJP, Abuirshaid, Bazian, WESPAC, and others like them to file registration statements and then to make those statements public.

66. The Administrative Procedure Act was enacted, in part, to ensure organizations like America First Legal may seek judicial review and a compliance order when Executive Branch agencies wrongfully fail or refuse to turn over public information, thereby fortifying Congress's constitutional oversight function. See Mathew D. McCubbins & Thomas Schwartz, *Congressional Oversight Overlooked: Police Patrols Versus Fire Alarms*, 28 AM. J. POL. SCI. 168–169 (1984) (describing Congress as using administrative procedures to delegate oversight responsibilities); McNollGast, *Administrative Procedures as Instrument of Political Control*, 3 J. L. ECON. & ORG. 254 (1987) (same); DANIEL Z. EPSTEIN, *THE INVESTIGATIVE STATE: REGULATORY OVERSIGHT IN THE UNITED STATES* (Sep. 2023) (providing empirical evidence that Congress's capacity to conduct oversight depends upon regulated parties reporting violations of administrative procedures).

67. Accordingly, America First Legal is entitled to relief under 5 U.S.C. § 706(1), (2)(A), to vindicate its informational rights.

Prayer for Relief

WHEREFORE, America First Legal respectfully requests that this Court:

A. Compel the defendants to require AMP, NSJP, Abuirshaid, Bazian, and WESPAC to register as foreign agents in compliance with the Foreign Agent Registration Act under 5 U.S.C. § 706(1).

B. Hold unlawful the defendants' refusal to require AMP, NSJP, Abuirshaid, Bazian, and WESPAC to register as a foreign agent under the Foreign Agent Registration Act under 5 U.S.C. § 706(2)(A).

C. Grant it appropriate fees, costs, expenses, and disbursements, including reasonable attorneys' fees; and

D. Grant it such additional relief as the Court deems just.

November 1, 2024

Respectfully submitted,

/s/ Michael Ding

REED D. RUBINSTEIN (D.C. Bar 400153)

MICHAEL DING (D.C. Bar 1027252)

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August 16, 2024

Via E-mail – fara.public@usdoj.gov

FARA Unit, National Security Division
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U.S. Department of Justice
175 N Street, NE, Constitution Square Building 3-Room 1.300
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Petition for Agency Action Under the Foreign Agent Registration Act Against AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine; National Students for Justice in Palestine; Osama Abuirshaid; Hatem Bazian; and Westchester People’s Action Coalition Foundation a/k/a WESPAC.

Dear Mr. Olsen:

America First Legal Foundation (AFL) petitions for agency action under the Foreign Agent Registration Act (FARA), 22 U.S.C. § 611 *et seq.*, against AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine (AMP), National Students for Justice in Palestine (NSJP), Osama Abuirshaid, Hatem Bazian, and WESPAC Foundation, Inc. (WESPAC). Each is an agent of a foreign principal, and the Department has a ministerial, nondiscretionary duty to seek their registration in accordance with FARA. AFL will suffer concrete informational injury should the Department fail to enforce FARA in this case.

PETITIONER

1. AFL is a national, nonprofit legal foundation working to promote the rule of law, prevent executive overreach, protect due process and equal protection, and educate Americans about the individual rights guaranteed under the Constitution and laws of the United States. Our mission includes promoting government transparency and accountability by gathering official information, analyzing it, and disseminating it through reports, press releases, and media, including social media platforms, all to educate the public and to keep government officials accountable for their duty to faithfully execute, protect, and defend the Constitution, laws, and citizens of the United States. AFL has over 229,000 followers on Facebook, 259,000 followers on X, and our Founder and President has over 692,000 followers on X.

2. FARA was enacted “to protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities and other activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities.”¹ AFL relies on the Department of Justice to enforce FARA according to its terms. If the Department chooses not to seek FARA registration from an agent of a foreign principal, then it concretely harms AFL’s informational rights. *See* 22 U.S.C. § 612; *Fed. Election Comm’n v. Akins*, 524 U.S. 11, 21 (1998).

SUMMARY BASIS FOR THIS PETITION

3. As the Department is aware, the evidence suggests that AMP, NSJP, Abuirshaid, and Bazian are “public-relations counsel,” as defined at 22 U.S.C. § 611(g), and/or engaged in “political activities,” as defined at 22 U.S.C. § 611(o), for or in the interests of the terror group Hamas and other “Palestinian” entities, each a “foreign principal,” as defined at 22 U.S.C. § 611(b). However, none of these persons has complied with FARA and filed a registration statement disclosing the information specified at 22 U.S.C. § 612.

4. The evidence also suggests that WESPAC is an “agent of a foreign principal” under 22 U.S.C. § 611(c)(1)(iii) because it serves as a fiscal sponsor for pro-Hamas groups, collecting, disbursing, or dispensing contributions, loans, money, or other things of value for or in the interest of foreign principals including Hamas and the Muslim Brotherhood.²

5. Accordingly, AFL petitions the Department to exercise its ministerial duty and notify AMP, NSJP (through AMP), Abuirshaid, Bazian, and WESPAC that each has a duty to register under FARA and to disclose under 22 U.S.C. § 612. Also, based on voluminous evidence known to the Department demonstrating that AMP is a successor to and alter ego of the Holy Land Foundation and the Islamic Association for Palestine and that Abuirshaid and Bazian have served as public relations counsel and engaged in political activities on behalf of Hamas for decades while avoiding FARA compliance, AFL further requests that the Department’s FARA Unit investigate each such person for violation of, *inter alia*, 22 U.S.C. § 614(a), (b), and

¹ *Meese v. Keene*, 481 U.S. 465, 469 (1987) (quoting Foreign Agents Registration Act of 1938, ch. 263, sec. 233, 56 Stat. 248, 248–49) (1942) (cleaned up).

² *See* U.S. House Committee on Ways and Means, Four Key Moments: Hearing on Tax-Exempt Funding of Antisemitism (July 25, 2024), <https://tinyurl.com/35jmhrvc>; Memorandum from David Abrams to the Internal Revenue Service (May 26, 2024), <https://tinyurl.com/3s6bcm3v>.

(e), 22 U.S.C. § 615, and 22 U.S.C. § 618.³

THE STATUTORY SCHEME

6. A “foreign principal” under FARA includes a government of a foreign country, a foreign political party, or “a person outside of the United States.” 22 U.S.C. § 611(b)(1), (2). Hamas, the Palestinian Authority, the Palestine Liberation Organization, Islamic Jihad, and other similar “Palestinian” organizations or persons are “foreign principals” under FARA. An “agent of a foreign principal” includes (a) a person who acts as a representative of a foreign principal or (b) a person who acts at the order, request, or under the direction or control of a foreign principal or (c) whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, *and* who directly or through any other person engages within the United States in political activities for or in the interests of such foreign principal. 22 U.S.C. § 611(c)(1)(i). This includes acting as a “public relations counsel,” 22 U.S.C. § 611(c)(1)(ii), and/or soliciting, collecting, disbursing, or dispensing contributions, loans, money, or other things of value. 22 U.S.C. § 611(c)(1)(iii). A “public relations counsel” is “any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any public relations matter pertaining to political or public interests, policies, or relations of such principal.” 22 U.S.C. § 611(g).

7. Agents of a foreign principal are required to file a public registration and disclosure statement. 22 U.S.C. § 612. The disclosure statement must be “detailed”⁴ with the “degree of specificity necessary to permit meaningful public evaluation of each of the significant steps taken by a registrant to achieve the purposes of the agency relation.”⁵ The Department’s regulations require registrants, *inter alia*, to “keep and preserve” eight different categories of “books and records,” including “communications to and from all foreign principals and all other persons, relating to

³ We also note that the public record contains more than sufficient facts to support a grand jury investigation of AMP and its fiscal sponsor AJP Educational Foundation, Inc.; NSJP, its fiscal sponsor the Westchester People’s Action Committee Fund, and its various “chapters”; Abuirshaid; and Bazian for violating federal laws prohibiting conspiracy against rights (18 U.S.C. § 241), willful destruction of government property (18 U.S.C. § 1361), conspiracy (18 U.S.C. Ch. 19), money laundering (18 U.S.C. § 1956), and material support for a designated foreign terrorist organization (18 U.S.C. § 2339A). *See generally* Complaint at ¶¶ 6–22, 57–65, 67, 70–82, 88–113, 127–37, 163–78, 275–313, *Frankel v. Regents of the Univ. of Cal.*, No. 2:24-cv-4702 (C.D. Cal. June 5, 2024), <https://tinyurl.com/8cb2rvn6>; Complaint at ¶¶ 27–39, 42–63, 68–76, 80–100, 105–11, 115, 117–19, *Parizer v. AJP Educ. Found., Inc.*, No. 1:24-cv-724 (E.D. Va. May 1, 2024), <https://tinyurl.com/4n5ndvac>; *Boim v. Am. Muslims for Palestine*, No. 17 C 3591, 2022 WL 1556085, at *1–3 (N.D. Ill. May 17, 2022); *see also* Adam Kredo, *White House Protesters Vandalized Property and Clashed With Law Enforcement, But Police Say No Arrests Were Made*, FREE BEACON (June 9, 2024), <https://tinyurl.com/4exs4w9b>; Paul Sperry, *War College: How a Berkeley Professor Inspired and Engineered Anti-Israel Protests*, REAL CLEAR INVESTIGATIONS (June 19, 2024), <https://tinyurl.com/4hk4pxc>; U.S. Dep’t of Just., Just. Manual, § 9-11.300 (2020), <https://tinyurl.com/bdhat56x>.

⁴ 22 U.S.C. § 612(a)(6), (8).

⁵ 28 C.F.R. § 5.210.

the registrant's activities on behalf of, or in the interest of any of his foreign principals"; communications "relating to political activity on the part of any of the registrant's foreign principals"; and "bookkeeping and other financial records."⁶ Such records must be kept "readily accessible for inspection."⁷ Any person who willfully violates FARA or any regulation thereunder shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years. 22 U.S.C. § 618(a); 18 U.S.C. 3571(e).

THE UNREGISTERED AGENTS

8. **AMP**, a 501(c)(3) non-profit corporation incorporated in California with its principal place of business in Falls Church, Virginia, is the new name for a Hamas-funding and public relations enterprise formerly led by front groups called the Islamic Association for Palestine and the Holy Land Foundation.⁸ The Islamic Association for Palestine was a Hamas public relations counsel founded and controlled by members of Hamas's senior leadership, including Khaled Mashal, the former head of Hamas's Political Bureau until 2017 and current leader of Hamas's diaspora office and financed by Mousa Abu Marzook (a/k/a Abu Omar, Abu Umar, Abu Rizq) ("Marzook"), a "Specially Designated Global Terrorist." The entity called "American Muslims for Palestine" uses the entity called "AJP Educational Foundation, Inc." as its fiscal sponsor.⁹

9. AMP was created and exists to undertake FARA-regulated activities as the successor to the Holy Land Foundation and the Islamic Association for Palestine. It currently operates at the request or under the direction of a foreign principal. AMP is currently the target of a House Oversight Committee investigation. Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, to Dr. Osama Abuirshaid, Executive Director, American Muslims for Palestine (May 29, 2024), <https://tinyurl.com/2stp97d9>.

10. **NSJP** is an unincorporated association of "chapters." AMP maintains organizational management and control of its activities and messaging.¹⁰ NSJP, through its leadership and recruited grassroots supporters, has (1) regularly identified itself as a supporter of, and sometimes even part of, Hamas and its

⁶ 28 C.F.R. § 5.500(a).

⁷ 28 C.F.R. § 5.500(b).

⁸ See generally *Boim v. Am. Muslims for Palestine*, 9 F.4th 545, 549–50 (7th Cir. 2021); Will Carless & Romina Ruiz-Goiriena, *Amid Campus Protests, Organizers with Past Ties to Hamas Support Also Emerge*, USA TODAY (May 22, 2024), <https://tinyurl.com/4nkmr87s>; Jonathan Schanzer, *From Ivory Towers to Dark Corners*, FOUND. FOR DEF. DEMOCRACIES (Nov. 15, 2023), <https://tinyurl.com/3haua567>; Lorenzo Vidino, *The Hamas Network in America*, GW PROGRAM ON EXTREMISM (Oct. 13, 2023), <https://tinyurl.com/muppke63>.

⁹ Press Release, Jason Miyares, Attorney General of Virginia, Attorney General's Office Opens Investigation Into American Muslims for Palestine Nonprofit (Oct. 31, 2023), <https://tinyurl.com/257wytj2>.

¹⁰ Dan Diker & Jamie Berk, *Students for Justice in Palestine Unmasked* at 35–39, JERUSALEM CTR. FOR PUB. AFFS. (2018), <https://tinyurl.com/cr74y2ff>.

affiliates' movement; (2) disseminated instructions from Hamas and other foreign terrorist organizations; (3) hosted speakers that are Specially Designated Global Terrorists or affiliated with them; and (4) provided direct aid to the same. For example, within hours of Hamas's October 7 attack, Hamas leader Ismail Haniyeh called for Hamas's "resistance abroad" to "join this battle any way they can."¹¹ He also stated, "[l]et us be partners in creating this great victory, inshallah."¹² NSJP and AMP responded immediately. For example, on October 8, NSJP released a "Day of Resistance [sic] Toolkit" across more than 300 American college campuses and on the internet.¹³ This "Toolkit" is political and public relations advocacy for Hamas under FARA. *See* Exhibit A.

11. NSJP was created and exists to carry out FARA-regulated activities at the request or under the direction of a foreign principal.

12. **Osama Abuirshaid** is the executive director and a board member of AMP.¹⁴ He is also a board member of the U.S. Council of Muslim Organizations (USCMO), an umbrella organization of eight major national American Muslim organizations, some with direct Hamas and other foreign principal ties.¹⁵

13. Abuirshaid engages in FARA-regulated activities at the direction of and/or on behalf of a foreign principal. He disseminates propaganda and engages in political activity for the benefit of Hamas. In fact, in 2014, Abuirshaid "was featured on the website of Hamas's self-declared military wing, the al-Qassam Brigades."¹⁶ On May 15, 2024, at his direction, AMP put out a notice explicitly identifying itself with a foreign principal:

At the 76th Anniversary of the Nakba, **We Honor Our History of Resilience**.[.]

On this day, Palestinians mark the Nakba, or "Catastrophe," of 1948 with clear reminders that the Nakba is still ongoing, or *mustamirra*. The genocide that Israel is committing now in Gaza is a manifestation of the ongoing Palestinian Nakba.

. . . .

The United States and other Western countries have supported Zionist claims and crimes at the expense of the indigenous people of Palestine. The U.S. has also provided cover for Israel's crimes in international

¹¹ Complaint ¶ 52, *Parizer v. AJP Educ. Found., Inc.*, No. 1:24-cv-724 (E.D. Va. May 1, 2024), <https://tinyurl.com/4n5ndvac>.

¹² *Id.*

¹³ *Id.* ¶¶ 53–75.

¹⁴ *Our Team*, AM. MUSLIMS FOR PALESTINE, <https://tinyurl.com/mr2mhtmr> (last visited Aug. 7, 2024).

¹⁵ *Id.*; *see United States Council of Muslim Organizations (USCMO)*, INFLUENCEWATCH, <https://tinyurl.com/2m5phh5f> (last visited Aug. 7, 2024).

¹⁶ Schanzer, *supra* note 8, at 9 n.52 (citing Osama Abuirshaid, AL-QASSAM (July 19, 2014), <https://tinyurl.com/2tcwf6d7> ("غزة بمقاومة يمكرون عرب" Arabs are plotting the Gaza resistance)).

forums, such as the UN Security Council, and provided it with the weapons it has used, and still uses, to oppress the Palestinian people, displace them, and steal their land.¹⁷

The AMP media blog, controlled by Abuirshaid, contains multiple examples of FARA-regulated activity. For example, it states, “In addition to coalition projects, AMP-MN (AMP-Minnesota) invests significantly in its Palestinian, Muslim, and Arab population to educate and mobilize for Palestine.”¹⁸

14. **Hatem Bazian** is AMP’s Founder and Chairman. According to one scholar, he has “one foot in the Hamas-adjacent world” and “one foot in the more, let’s say, left-leaning pro-Palestinian ... kind of world. He does both. He’s sort of the bridge between the two worlds at a very senior level.”¹⁹ The United States Government found that he knowingly raised money for a Hamas front group called “Kindhearts” in 2004.²⁰

15. He engages in FARA-regulated activities at the direction of and/or on behalf of a foreign principal.²¹

16. **WESPAC** reportedly acts as a fiscal sponsor for pro-Hamas and Muslim Brotherhood agents and instrumentalities such as Students for Justice in Palestine, the United States Palestinian Community Network, the Palestinian Youth Movement, and Adalah New York. WESPAC’s fiscal sponsorship means that these organizations may benefit from tax-deductible donations and grants without the transparency and disclosure required of exempt organizations under the Internal Revenue Code.

CONCLUSION

AFL respectfully requests that the Department, in the exercise of its ministerial duty, notify AMP, NSJP, Abuirshaid, Bazian, and WESPAC of their duties to register as agents of a foreign principal and to make the appropriate public disclosures in accordance with FARA. Based on the evidence, AFL further requests that the FARA Unit investigate these persons to determine whether they should be subject to

¹⁷ *The Ongoing Nakba and Palestinian Resilience to Live Free*, AM. MUSLIMS FOR PALESTINE (May 15, 2024), <https://tinyurl.com/42a464rw> (emphasis added).

¹⁸ *Once Upon a Palestine: Sowing Seeds in the Minnesota community*, AM. MUSLIMS FOR PALESTINE: BLOG (Sept. 2, 2021), <https://tinyurl.com/mrx2te5f>.

¹⁹ Ari David Blaff, *Meet the Student Group—With Alleged Links to Hamas—Driving the Anti-Israel Encampments*, NAT’L POST (updated June 18, 2024), <https://tinyurl.com/t999atep> (quoting Lorenzo Vidino, terror finance expert at George Washington University’s Program on Extremism).

²⁰ Schanzer, *supra* note 8, at 11 n.64 (citing flyer for *The MSA of Scripps Ranch Highschool & KindHearts Present: Palestinians in Agony! Fundraising Dinner*, <https://tinyurl.com/yna35b9t> (last visited Aug. 7, 2024)).

²¹ *See Student Activism for Palestine is the Pride of Our Movement*, AM. MUSLIMS FOR PALESTINE, BLOG (Mar. 31, 2023) <https://tinyurl.com/4wereust>.

FARA's criminal sanctions.

Respectfully submitted,

/s/ Reed D. Rubinstein
Reed D. Rubinstein
Senior Vice President
America First Legal Foundation

Exhibit A

DAY OF RESISTANCE TOOLKIT

INTRODUCTION

National Students for Justice in Palestine is calling for a **national day of resistance** on college campuses across occupied Turtle Island and internationally this **Thursday, October 12th, 2023**

On the 50th anniversary of the 1973 war, the resistance in Gaza launched a surprise operation against the Zionist enemy which disrupted the very foundation of Zionist settler society. On the morning of October 8th, the Palestinian resistance stormed the illegitimate border fence, gaining control of the Gaza checkpoint at Erez, and re-entering 1948 Palestine. Referred to as Operation *Towfan Al-Aqsa* (Al-Aqsa Flood), the resistance has taken occupation soldiers hostage, fired thousands of rockets, taken over Israeli military vehicles, and gained control over illegal Israeli settlements. In the West Bank, the Palestinian resistance has called for collective action by the Palestinian masses amidst attempts by the Zionist entity to lock-up the West Bank. The Palestinian resistance has called for mass protests in every Palestinian city, and Palestinian workers have called for a general strike. In Gaza, Israel has launched an onslaught of airstrikes. As of Sunday, Oct 8th at 12pm ET, Israel has murdered 320 Palestinians and left over 2200 others injured. Despite this, our people choose resistance over negotiated cages on our homeland. Fearlessly, our people struggle for complete liberation and return.

Today, we witness a historic win for the Palestinian resistance: across land, air, and sea, our people have broken down the artificial barriers of the Zionist entity, taking with it the facade of an impenetrable settler colony and reminding each of us that total return and liberation to Palestine is near. As the Palestinian student movement, we have an unshakable responsibility to join the call for mass mobilization.

National liberation is near— glory to our resistance, to our martyrs, and to our steadfast people.

JOIN THE DAY OF RESISTANCE NATIONAL CALL-IN MEETING

- On Monday, October 9th @ 5:00 PT/ 7:00 CT/ 8:00 ET, we will be hosting a national call-in meeting to meet with chapters, talk through the political significance of this moment, talk through how-to's for the protest day of action and troubleshoot any support needed. Please RSVP here: <https://forms.gle/AbK7RmidTRPYVcAfA>

CALL TO ACTION: NATIONAL DAY OF RESISTANCE

- On Thursday, October 12th, National Students for Justice in Palestine is calling for a national day of resistance from the student movement for Palestine liberation on college campuses across occupied Turtle Island (so-called US and Canada) and beyond. We must continue to resist directly through dismantling Zionism, and wielding the political power that our organizations hold on our campuses and in our communities. We are asking chapters to host demonstrations on campus/in their

community in support of our resistance in Palestine and the national liberation struggle — one which they play a critical role in actualizing.

- Please fill out this brief form to let us know what events you will be hosting! These will be posted and publicized on our social media – filling out this form will help us better coordinate and unify nationally as a student movement
<https://forms.gle/H7uqKuVL22AAtzUZA>
- Please upload any pictures or videos that you are comfortable with us sharing here!
https://drive.google.com/drive/folders/1r4_5Ugt9eocMgvqm2J7FXlxRGTyovXBJ

We will also be having a “how to organize a protest,” including roles, security, media training, and more, on the National Call-in meeting on Monday, Oct 9th at 8pm ET. The presentation + resources shared will be added to the tool-kit following the presentation. If you need additional help organizing or planning your protest, please reach out to [National Students for Justice in Palestine](#). (RSVP link above).

If a protest is not possible, engagement across the movement — whether it be a sit-in, disruption, or educational event — is highly encouraged!

Other ways to participate

1. Table/Flyer on campus
 - a. Challenging Zionist hegemony and popularizing our resistance is a critical part of advancing our national movement! Print flyers to put up around your campus. We encourage you to use any of the graphics linked in this toolkit. [Here](#) is a Tabling 101, and for examples of tabling materials, click [here](#) and [here](#). For some tips on how to table and how to respond to common Zionist arguments, click [here](#)
2. Teach-ins
 - a. Make sure people on your campus know what's happening in Palestine, and are armed with a framework which advances national liberation– host a teach-in on your campus! We will include a teach-in during the National Call-in meeting – please attend for inspiration. We will also be linking the presentation in the toolkit following the call-in meeting.
3. Sign onto statement from Bears for Palestine
 - a. We welcome both individual and organizational endorsements onto this statement by Berkeley Bears for Palestine in unwavering support of the Palestinian resistance
 - b. [Towfan Al-Aqsa Statement](#) – Bears for Palestine
4. Write a local statement of solidarity
 - a. Statements of support show a cohesive and united movement. Work with other organizations on your campus to put out a joint statement expressing your campus' support for Palestine.
5. Share within your network/region:
 - a. If you're near other SJPs, let them know what you're planning! If you're in close geographic proximity to one another, you may be able to plan a joint action.
6. Help spread the word by sharing widely on your campuses and in your communities
 - a. Contact student organizations across movements to share your action on social media. Engage your community, and let everyone know that the student movement on occupied Turtle Island stands firmly in support of Palestinian resistance.

MESSAGING & FRAMING

For over 75 years, our Palestinian people, through steadfast resistance, have waged a prolonged war for liberation and return to our colonized homeland. What we are witnessing now is a heightened stage of the Palestinian struggle—through tearing down colonial infrastructure and liberating our colonized land from illegal settlements and military checkpoints, our people are actualizing revolution. Palestine will be liberated from the river to the sea, and our resistance, through their bravery and love for land, continue to bring dignity and honor to the Palestinian people. As the diaspora-based student movement for Palestine liberation, our responsibility is to not only support, but struggle alongside our people back home. The forces of Zionism engage in media campaigns which attack our people and resistance from all sides— it is our responsibility, therefore, to break through their hegemonic narratives of “war” and “unprovoked aggression,” and instead ground our campuses and communities in a narrative which centers the legitimacy of resistance and the necessity of complete liberation. Please find below a breakdown of framework and important messaging which help contextualize, frame, and above all normalize and support our fearless resistance.

- **When people are occupied, resistance is justified — normalize the resistance.**
 - ◆ *The Palestinian people have the right to resist colonization and oppression.* The Palestinian people have the right to return to their homeland and free themselves from the complete land, air, and sea siege they've been subjected to; this requires resistance, and it is both morally just and politically necessary. These events are the natural and justified response to decades of oppression and dehumanization.
 - ◆ The fight for Palestinian liberation is a necessary struggle against an occupying and colonial state; not a “war” or “conflict.” It is a **struggle for national liberation.**
 - ◆ In the eyes of the West, there is no “right” way for Palestinians to fight for their freedom. Every tactic is met with repression.
 - ◆ The occupation, the day to day and the existence of Israel is not peaceful; there is no ‘maintaining the peace’ with a violent settler state.
 - ◆ Settlers are not “civilians” in the sense of international law, because they are military assets used to ensure continued control over stolen Palestinian land.
 - ◆ Responsibility for every single death falls solely on the Zionist entity. They do not care one bit for the Geneva Conventions but demand Palestinians follow them to the letter.
- **Gaza as the cradle of resistance**
 - ◆ *Gaza broke out of prison.* Resistance fighters captured one of the bulldozers used to destroy Palestinian homes, and used it to breach the illegitimate border fence back into '48 Palestine.
 - ◆ Gaza is being subject to collective punishment because the occupation knows liberation is inevitable.

- ◆ Zionists are telling Gazans to leave while also denying them freedom of movement—this is a call for genocide of Palestinians.
 - "I say to the residents of Gaza: Leave now because we will operate forcefully everywhere."--Netanyahu
- ◆ This is not "unprovoked". Apartheid, ethnic cleansing, indiscriminate bombing, arbitrary detention, destruction of infrastructure, 75 years of settler colonialism are provocations.
- **Liberation is material**
 - ◆ *Liberation is not an abstract concept.* It is not a moment circumscribed to a revolutionary past as it is often characterized. Rather, liberating colonized land is a real process that requires confrontation by any means necessary. In essence, decolonization is a call to action, a commitment to the restoration of Indigenous sovereignty. It calls upon us to engage in meaningful actions that go beyond symbolism and rhetoric. Resistance comes in all forms— armed struggle, general strikes, and popular demonstrations. All of it is legitimate, and all of it is necessary.
 - ◆ "You don't get freedom peacefully. Freedom is never safeguarded peacefully. Anyone who is depriving you of freedom isn't deserving of a peaceful approach by the ones who are deprived of their freedom."-Malcolm X
- **israel is fragile**
 - ◆ This action of resistance shatters the illusion of Israel as an impenetrable, indestructible entity. The Zionist entity is fragile, and Palestinian resistance is alive. The iOF are still in disarray and the resistance fighters are still launching new attacks into '48.
 - ◆ The Zionist entity built a massive technological barrier to imprison Gaza that the resistance neutralized in hours. They massively underestimated the ingenuity of the resistance, and will continue to do so.
 - ◆ Settlers are already fleeing the land, their 'dedication' to the settler colony is easily broken. The dedication of Palestinians for their national liberation is unshakable.
 - ◆ *From Rhodesia to South Africa to Algeria, no settler colony can hold out forever.*
- **Unity Intifada**
 - ◆ The revolution is being waged across historic Palestine— not just cross-factional, but unifying our people in the name of resistance
 - ◆ All Palestinian factions in Gaza appear to be participating under unified command.
 - ◆ *This is the first time since 1949 that a large-scale battle has been fought within '48 Palestine.*
- **We as Palestinian students in exile are PART of this movement, not in solidarity with this movement.**
 - ◆ *This is a moment of mobilization for all Palestinians. We must act as part of this movement. All of our efforts continue the work and resistance of Palestinians on the ground.*

HASHTAGS

- #studentdayofresistance
- #operationalaqsaftlood
- #nationalliberationisnear
- #dayofresistance

TEMPLATE GRAPHICS

[CANVA GRAPHIC TEMPLATE LINK FOR PROTESTS \[LINK WITH BELOW GRAPHICS\]](#)

TABLING MATERIALS AND OTHER GRAPHICS COMING SOON



CIVIL COVER SHEET

JS-44 (Rev. 11/2020 DC)

I. (a) PLAINTIFFS AMERICA FIRST LEGAL FOUNDATION DEFENDANTS MERRICK GARLAND, in his official capacity as Attorney General of the United States; DEPARTMENT OF JUSTICE (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES) (c) ATTORNEYS (FIRMNAME, ADDRESS, AND TELEPHONE NUMBER) Reed D. Rubinstein, Michael Ding (AMERICA FIRST LEGAL FOUNDATION, 611 Pennsylvania Avenue SE #231, Washington, DC 20003, (202) 964-3721)

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY) 1 U.S. Government Plaintiff 2 U.S. Government Defendant 3 Federal Question (U.S. Government Not a Party) 4 Diversity (Indicate Citizenship of Parties in item III) III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! PTF DFT PTF DFT Citizen of this State 1 1 Citizen of Another State 2 2 Citizen or Subject of a Foreign Country 3 3 Incorporated or Principal Place of Business in This State 4 4 Incorporated and Principal Place of Business in Another State 5 5 Foreign Nation 6 6

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

A. Antitrust 410 Antitrust B. Personal Injury/Malpractice 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Medical Malpractice 365 Product Liability 367 Health Care/Pharmaceutical Personal Injury Product Liability 368 Asbestos Product Liability C. Administrative Agency Review 151 Medicare Act Social Security 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g)) Other Statutes 891 Agricultural Acts 893 Environmental Matters 890 Other Statutory Actions (If Administrative Agency is Involved) D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*

E. General Civil (Other) OR F. Pro Se General Civil Real Property 210 Land Condemnation 220 Foreclosure 230 Rent, Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property Personal Property 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability Bankruptcy 422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 Prisoner Petitions 535 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Conditions 560 Civil Detainee - Conditions of Confinement Property Rights 820 Copyrights 830 Patent 835 Patent - Abbreviated New Drug Application 840 Trademark 880 Defend Trade Secrets Act of 2016 (DTSA) Federal Tax Suits 870 Taxes (US plaintiff or defendant) 871 IRS-Third Party 26 USC 7609 Forfeiture/Penalty 625 Drug Related Seizure of Property 21 USC 881 690 Other Other Statutes 375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment 430 Banks & Banking 450 Commerce/ICC Rates/etc 460 Deportation 462 Naturalization Application 465 Other Immigration Actions 470 Racketeer Influenced & Corrupt Organization 480 Consumer Credit 485 Telephone Consumer Protection Act (TCPA) 490 Cable/Satellite TV 850 Securities/Commodities/Exchange 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi-district Litigation
 7 Appeal to District Judge from Mag. Judge
 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 Violation of APA, U.S.C. § 706(1), (2)(A), failing to require pro-Hamas network to register as foreign agents under FARA

VII. REQUESTED IN COMPLAINT	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ JURY DEMAND:	Check YES only if demanded in complaint YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, please complete related case form
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DATE: 11/01/2024	SIGNATURE OF ATTORNEY OF RECORD: /s/ Michael Ding
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INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil coversheet. These tips coincide with the Roman Numerals on the cover sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

AO 440 (Rev. 06/12; DC 3/15) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

AMERICA FIRST LEGAL FOUNDATION

Plaintiff(s)

v.

MERRICK GARLAND, in his official capacity as
Attorney General of the United States;
DEPARTMENT OF JUSTICE

Defendant(s)

Civil Action No. 1:24-cv-3105

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) UNITED STATES DEPARTMENT OF JUSTICE
950 Pennsylvania Ave. NW
Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Michael Ding
AMERICA FIRST LEGAL FOUNDATION
611 Pennsylvania Ave SE #231
Washington, DC 20003

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. 1:24-cv-3105

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12; DC 3/15) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

AMERICA FIRST LEGAL FOUNDATION

Plaintiff(s)

v.

MERRICK GARLAND, in his official capacity as
Attorney General of the United States;
DEPARTMENT OF JUSTICE

Defendant(s)

Civil Action No. 1:24-cv-3105

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Attorney General Merrick Garland
UNITED STATES DEPARTMENT OF JUSTICE
950 Pennsylvania Ave. NW
Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you
are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ.
P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of
the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,
whose name and address are: Michael Ding
AMERICA FIRST LEGAL FOUNDATION
611 Pennsylvania Ave SE #231
Washington, DC 20003

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.
You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. 1:24-cv-3105

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12; DC 3/15) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

AMERICA FIRST LEGAL FOUNDATION

Plaintiff(s)

v.

MERRICK GARLAND, in his official capacity as
Attorney General of the United States;
DEPARTMENT OF JUSTICE

Defendant(s)

Civil Action No. 1:24-cv-3105

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) U.S. Attorney's Office for the District of Columbia
Civil Process Clerk
601 D Street NW
Washington, DC 20530
Email service to: USADC.ServiceCivil@usdoj.gov

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Michael Ding
AMERICA FIRST LEGAL FOUNDATION
611 Pennsylvania Ave SE #231
Washington, DC 20003

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:24-cv-3105

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: