

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION COURT
DALLAS, TEXAS**

IN THE MATTER OF:

Nabil SADOON

(b)(6),(b)(7)(C)

RESPONDENT

)
)
)
)
)
)

IN REMOVAL PROCEEDINGS

NON-DETAINED

DECLARATION OF SPECIAL AGENT (b)(6),(b)(7)(C)

I, (b)(6),(b)(7)(C) under penalty of perjury, hereby declare as follows:

1. I am currently employed as a Special Agent with the U.S. Department of Justice (DOJ), Federal Bureau of Investigation (FBI), and have been so employed since September 1997. During this time, I have always been assigned to the FBI Dallas Division's North Texas Joint Terrorism Task Force (JTTF) and International Terrorism Squad. I am also a member of the FBI Dallas Special Weapons and Tactics (SWAT) team. As a member of the FBI's JTTF and International Terrorism Squad, I conduct national security-related intelligence and criminal investigations.
2. I have received specialized training to conduct such investigations. In addition to graduating from the FBI Academy in Quantico, Virginia in 1997, I have also attended numerous seminars and conferences during my more than 12 years of service as an FBI Special Agent and prior to my employment with the FBI. For example, in 1995, I attended counterterrorism analysis training at the Joint Military Intelligence Training Center of the U.S. Defense Intelligence Agency located in Washington, D.C. I have participated in meetings with multiple foreign governments to discuss issues regarding HAMAS and Al-Qaeda; and in 2009, I served as a speaker at the Israeli Ministry of Justice and United States joint conference on Transnational Legal Assistance and Cooperation in Investigation and Prosecution of Terrorism and Terrorist Financing. I have a Bachelor of Science (B.S.) degree in History, with a focus on European Studies, from the U.S. Air Force Academy, and a Master of Arts (M.A.) degree in National Security Affairs, with an emphasis in Middle East studies, from the Naval Postgraduate School in Monterey, California. In 2009, I obtained a second M.A. degree in Homeland Security from the Naval Postgraduate School's Center for Homeland Defense and Security.
3. Prior to joining the FBI in 1997, I served in the U.S. Air Force for eleven years. In 1986, I was placed on active duty; and in 1987, I was assigned to the Office of Special Investigations (OSI), where I specialized in counterterrorism and counterintelligence

investigations for approximately ten years. During my eleven years of military service, I was deployed overseas several times, including two permanent deployments to Turkey where I worked with Turkish and other North Atlantic Treaty Organization (NATO) countries' security and intelligence agencies, as well as several temporary duty assignments to countries in the Middle East. In 1997, I was offered an early promotion to Major in the U.S. Air Force. However, I declined this promotion in order to accept a position as Special Agent with the FBI.

4. Since 1997, I have worked as an FBI case agent or co-case agent on several intelligence and criminal investigations related to HAMAS, a designated Foreign Terrorist Organization (FTO) under section 219 of the Immigration and Nationality Act, including InfoCom and the Holy Land Foundation for Relief and Development (HLF). As a result of these investigations, the U.S. Government obtained numerous criminal convictions against individuals and organizations connected to HAMAS. In July 2004, InfoCom and its leaders—including Ghassan Elashi, Hazim Elashi, and Basman Elashi—were convicted on charges of conspiring to violate the Export Administration Regulations and the Libyan Sanctions Regulations, conspiring to file false Shipper's Export Declaration forms, making false statements, and money laundering. At trial, the jury found that from 1997 to 2000 the defendants made illegal computer shipments to Libya and Syria, in violation of U.S. laws that restrict or prohibit the export of technology, goods or software to countries listed as state sponsors of terrorism as designated by Secretary of State in order to protect the national security of the United States. In April 2005, InfoCom, Ghassan Elashi, and Basman Elashi were also convicted during a second trial of conspiracy to deal in the property of a Specially Designated Terrorist—to wit: their co-defendant Mousa Abu Marzook, who was an investor in Infocom and a self-admitted leader of HAMAS—and conspiracy to commit money laundering. On November 24, 2008, the HLF and its leaders—including Shukri Abu Baker, Mohammad El-Mezain, Ghassan Elashi, Mufid Abudlqader, and Abdulrahman Odeh—were convicted on charges of providing material support to HAMAS. (The defendants are appealing their convictions and sentences). Other individuals discussed below, such as Mohamed El Shorbagi, Muhammad Salah, and Abdelhaleem Ashqar, have also been convicted of criminal offenses based on their activities and connections with HAMAS.
5. I have been qualified as an expert witness on HAMAS and other terrorism matters before the Executive Office for Immigration Review (EOIR) on three separate occasions. Specifically, I have testified as an expert witness on HAMAS before the immigration court in San Francisco, California, and as a general terrorism expert as it related to the Kurdistan Workers Party (PKK), Al-Qa'ida and terrorism financing before the immigration court in Detroit, Michigan.
6. In addition, I have testified on behalf of the FBI in several criminal cases related to HAMAS, including the HLF criminal prosecution in the U.S. District Court, Northern District of Texas, and the Muhammad Salah and Abdelhaleem Ashqar criminal prosecution in the U.S. District Court, Northern District of Illinois. *United States v. Holy Land Found. For Relief & Dev.*, No. 04-CR-240 (N.D. Tex. filed July 26, 2004); *United*

States v. Muhammad Hamid Khalil Salah, No. 03-CR-978-2 (N.D. Ill. filed July 19, 2007).

7. I am familiar with the facts set forth below as they pertain to Nabil SADOUN (SADOUN) based upon the information gathered and analyzed as part of my official duties in several HAMAS-related investigations. The sources of information include documents obtained by the FBI pursuant to its investigations of HAMAS and HAMAS-related organizations, statements from current and former Muslim Brotherhood and HAMAS members or supporters, information contained in SADOUN's administrative immigration file, statements that SADOUN made to agents or officials of the Immigration and Naturalization Service (INS), Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), and FBI, as well as public source information related to HAMAS, the Muslim Brotherhood, and numerous affiliated individuals and organizations.
8. As a result of numerous investigations spanning several decades and as set forth below, the FBI has concluded that SADOUN—through his membership in and/or affiliation with the Muslim Brotherhood in the United States (US-MB), Palestine Committee (PALCOM), United Association for Studies and Research (UASR), and Muslim Arab Youth Association (MAYA)—was affiliated with HAMAS. The FBI has also uncovered evidence that SADOUN knowingly provided material support to the HLF—a HAMAS front organization—after HAMAS's designation as a terrorist organization.
9. As detailed below, SADOUN was a member of or affiliated with organizations—as referenced in paragraph 8—which supported HAMAS: (1) on or before November 9, 1992, when he filed his application for an immigrant visa with the U.S. Department of State; (2) on or before July 19, 1993, when he subscribed and swore to the contents of his application at the U.S. Embassy in Amman, Jordan; and (3) on or before August 12, 1993, when he was admitted to the United States as a lawful permanent resident. Further, SADOUN failed to disclose his membership or affiliation with these organizations as well as these organizations' ties with a known terrorist organization—HAMAS.

**HISTORICAL PERSPECTIVE OF THE IMB, US-MB, PALCOM, AND HAMAS
REVEALED THROUGH INVESTIGATIONS**

10. In 1928, Hassan Al Bana founded the Muslim Brotherhood, also known as the Ikhwan Al Muslimin or the Ikhwan, in Egypt as a secret organization to promote the creation of a global Islamic state which would be governed by Sharia law. The Muslim Brotherhood's radical philosophy employs violent jihad as a means of achieving its goals.
11. The Muslim Brotherhood is structured both nationally and internationally. The International Muslim Brotherhood (IMB) oversees the national chapters created in various countries, including the Muslim Brotherhood in the United States or US-MB. Despite some oversight by the IMB, the individual chapters in various countries have some autonomy. The various chapters have both overt and covert components. In some countries, depending on national circumstances, the MB may operate overt organizations,

such as political fronts. Covertly, the MB also operates “military or “special” wings prepared to employ terrorist tactics and means. Each national chapter has an elected governing body, known as the Shura Council. The heads of the Shura Councils, including the US-MB’s Shura Council, report directly to the IMB’s leadership.

12. At the end of 1987, the First Intifada began in the Gaza Strip. The Intifada was a grassroots uprising of Palestinians opposed to the Israeli occupation of the Gaza Strip and West Bank. At the outset, the opposition was not organized; however, Palestinian opposition groups, such as HAMAS and the Palestinian Liberation Organization (PLO), took advantage of the grassroots uprising to advance their causes. At that time, the Palestinian Muslim Brotherhood was operated by Sheikh Ahmed Yassin. Yassin and other Muslim Brotherhood leaders moved to create a military wing for the Muslim Brotherhood to advance its causes and engage in violent jihad against Israel, including suicide bombings against civilians. Yassin named the military wing *Harakat al-Muqawamah al-Islamiyya*—translated as the “Islamic Resistance Movement”—which is commonly referred to by its acronym HAMAS.
13. The IMB gave Yassin and HAMAS its blessing and support. The IMB further ordered the Muslim Brotherhood’s various national chapters to create covert subcommittees, known as Palestine Committees, to provide support to HAMAS from within each region of the world. The purpose of these committees was to support HAMAS’s efforts in violent jihad and to support “the Movement” to create a global Islamic state. The US-MB created its own Palestine Committee, or PALCOM, to support the HAMAS. [Exhibits A10, P, Q, R, T, X, Y] (*hereinafter all references to the US-MB’s Palestine Committee will be as PALCOM*)
14. On January 25, 1995, President Clinton designated HAMAS as a Specially Designated Terrorist pursuant to Executive Order 12947. In Executive Order 12947, the President cited his finding, “that grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States...” Thereafter, on October 8, 1997, Secretary of State Madeleine Albright designated HAMAS as a FTO under section 219 of the Immigration and Nationality Act. Notwithstanding, from its creation in December 1987 until its official designation on January 25, 1995, HAMAS has always engaged in terrorist activities.
15. HAMAS endorses violent jihad against its enemies and adheres to the slogan: “Allah is its target, the Prophet its model, the Koran its constitution: Jihad is its path and death for the sake of Allah is the loftiest of its wishes.” In the late 1980s and early 1990s, the PLO conducted meetings with the Government of Israel in an attempt to reach an agreement that would bring peace to the Middle East. However, HAMAS violently opposed such efforts and stepped up its violent attacks in order to undermine a U.S.-backed peace process in the Middle East. [Exhibits A2A, A2B]
16. HAMAS declared in its founding charter, dated 1988 that “Israel will exist and will continue to exist until Islam will obliterate it.” [Exhibits A1, H] In its charter, HAMAS

calls itself “one of the wings of the Moslem Brotherhood” and outlines its jihadist ideology to “instill the spirit of Jihad in the heart of the nation so that they [every Moslem] would confront the enemies and join the ranks of the fighters.” [Exhibits A1, H] The founding HAMAS charter, printed in English for the first time by the PALCOM-controlled Islamic Association for Palestine (IAP), specifically calls for the annihilation of Israel through violent *jihad*, to include suicide bombings against civilian targets carried out by its military wing—the Izz Al-Din Al-Qassam Brigades (Al-Qassam Brigades). Notably, the charter sets forth that charity is a means of securing the Palestinian population’s loyalty to HAMAS and through charity “congeniality will deepen, cooperation and compassion will prevail, unity will firm up, and the ranks will be strengthened in the confrontation with the enemy.”

17. In 1989, Israel declared HAMAS a terrorist organization and deemed membership in the organization illegal. [Exhibit I]
18. HAMAS published a “Glory Record” on its website to claim responsibility for numerous acts of terrorism prior to October 19, 1994.¹ In all, the “Glory Record” contained eighty-five distinct terrorist operations carried out by HAMAS from 1988 to 1994. Examples of HAMAS’s terrorist activity included: an April 3, 1988 operation where eight agents of the Israeli intelligence were attacked at Al-sabra quarters in Gaza City and three were killed; as well as the February 17, 1989 and May 3, 1989 kidnapping and murder of two Israeli soldiers. HAMAS assumed responsibility for many other instances of shootings and stabbings during the late 1980s and early 1990s. On October 7, 1988, twenty-seven-year-old (b)(6),(b)(7)(C) —an Israeli master sergeant guarding the Kibbutz Metsaa in Jordan Valley—was stabbed by a HAMAS militant named (b)(6),(b)(7)(C). On May 18, 1989, the Al-Qassam Brigades led an Israeli patrol to a house where several of the patrol members were stabbed. On September 8, 1989, a HAMAS member killed an Israeli soldier with a chisel and the following day hijacked a bus of Israelis after stabbing the driver. On November 13, 1989, two Israeli soldiers were shot by members of the Al-Qassam Brigades. On April 5, 1989, a HAMAS member ran a truck over a group of Israeli soldiers. The referenced incidents are just a few of the many efforts HAMAS members undertook to disrupt the peace process. The U.S. Department of State also documented—in its annual *Patterns of Global Terrorism* reports—several violent acts that HAMAS carried out during 1992 and 1993 in an effort to disrupt the peace process. Many HAMAS attacks targeted purely civilians including discos, bars, restaurants and public buses. [Exhibits A2A, A2B, I].
19. Moreover, ten specific terrorist acts were attributed to HAMAS and Mousa Abu Marzook—a known HAMAS leader—during the course of Marzook’s extradition proceedings in the U.S. District Court, Southern District of New York. Several of the terrorist acts occurred in or before 1993, and included: a July 28, 1990 bombing, which killed a Canadian tourist; the December 14, 1990 stabbing deaths of three civilians working in a Jaffa factory; the January 1, 1992 shooting death of a civilian in Kfar Darom; the May 17, 1992 shooting death of a civilian in the Beit La’hiyah region; the June

¹ On October 19, 1994, HAMAS ceased posting credit for its terrorist operations on this website.

25, 1992 stabbing deaths of two civilians working in Sajaeya; and the July 1, 1993 gun-fire attack by three persons of a passenger bus in Jerusalem. Four additional incidents occurred in 1994, the year that HAMAS began orchestrating suicide bombings. In one such bombing on April 6, 1994, five Israelis were killed and 150 were injured. [Exhibit I]

**BACKGROUND OF THE US-MB AND HAMAS-RELATED ORGANIZATIONS—
INCLUDING THE CREATION OF PALCOM—REVEALED THROUGH INVESTIGATIONS**

Muhammad Salah's Arrest

20. In January 1993, Israeli authorities arrested Muhammad Salah, a self-confessed HAMAS member, who was residing in Chicago. At the time of his arrest, Salah had \$97,000 of cash in his possession. Salah would later admit that he distributed approximately \$140,000 to HAMAS military wing activists; money that was used to fund HAMAS's terrorist activities. During Salah's arrest, he provided crucial insight into the HAMAS infrastructure that existed throughout several countries, including the United States. Based on the information obtained through the investigation of Salah, the FBI gained valuable information regarding the HAMAS support network operating in the United States. For example, Salah identified Marzook as the head of HAMAS and Izat Mansour as the head of HAMAS security. These individuals, like Salah, were also residing in the United States. Although Salah attempted to warn HAMAS members—through written correspondence while incarcerated—about the information he divulged, his letters were compromised by the Israelis. Through Salah's correspondence, the HLF and InfoCom fell under suspicion and also started to be questioned publicly.
21. Salah has been a Specially Designated Terrorist since 1995. In 1994, the Israeli government criminally charged Salah as a member of HAMAS and participator in HAMAS terrorist activities and held a trial. Before the trial was completed, Salah pled guilty in 1995 to the charges brought by the Israeli government and was sentenced to five years in prison; he was released in 1997. More recently, Salah was convicted of obstruction of justice in the United States when he refused to testify before a federal grand jury regarding his activities with or on behalf of HAMAS. He was sentenced to twenty-one months in prison. *United States v. Muhammad Hamid Khalil Salah*, No. 03-CR-978-2 (N.D. Ill. filed July 19, 2007).
22. In the aftermath of Israel's 1993 arrest of Salah, the FBI commenced a large-scale investigation into the activities of several U.S.-based organizations and their members suspected of having ties with HAMAS. The FBI's investigation has been ongoing for the last twenty years and has resulted in countless arrests, convictions, and/or administrative removal orders of known HAMAS members or affiliates.

The Ashqar Investigation

23. In 1993, the FBI commenced an investigation of Abdelhaleem Hasan Abdelrasiq Ashqar (Ashqar) after it determined that Ashqar may be engaged in terrorism-related acts.

Ashqar was a graduate student residing in Oxford, Mississippi at the time. In October 1993, the Attorney General authorized a covert search of Ashqar's residence, which resulted in the discovery of numerous documents regarding HAMAS and the US-MB, including a list entitled "Important phone and fax numbers (Palestine Section/America)." [Exhibit A10]. The FBI would later date this list—referred to as the "Ashqar List"—to 1989 based on the individuals' addresses and phone numbers at that time as well as additional intelligence gathered during FBI investigations. Of significance, SADOUN's name, along with his Tulsa, Oklahoma address and phone number in 1989—as confirmed on his application for an immigrant visa—is included on the Ashqar List. This was a select list of less than 50 individuals, and as will be discussed further, Sadoun's inclusion on this select list was neither unintentional nor accidental.

24. Also in October 1993—on the heels of the United States-sponsored Middle East initiative between the Israeli government and the PLO, known as the Oslo Accords—the FBI's intelligence investigation of HAMAS focused on a meeting of known U.S.-based HAMAS leaders in Philadelphia, Pennsylvania. As I have previously testified in federal court, at the start of this meeting, one of the leaders of HAMAS, Omar Yeheya (a.k.a. Omar Ahmad, number twenty-five on the Ashqar List), stated that the meeting was an official meeting of PALCOM. The purpose of the meeting—often referred to as the "Philly Conference"—was two-fold: (1) to determine their course of action in support of HAMAS' opposition to the United States-backed peace plan and (2) to determine a plan to conceal their activities from the scrutiny of the U.S. Government. During the Philly Conference, the leaders referred to HAMAS as "Samah"—HAMAS spelled backwards—or simply as "the Movement," in an attempt to conceal the true nature of the meeting from outside sources. However, upon listening to the discussions—which were surreptitiously recorded pursuant to electronic surveillance authorized under the Foreign Intelligence Surveillance Act (FISA)—it is clear that the true nature of the PALCOM meeting was to discuss the means to support HAMAS' goal to undermine the peace process and to thwart law enforcement in the United States. The Philly Conference attendees, of whom there were only approximately 22 for security reasons, discussed how Samah would one day be labeled as a terrorist group by the US Government. They also discussed the need to create a new, uncompromised front group in the United States under the veil of some cover palatable to the American public.

Marzook's Arrest and Deportation

25. On July 25, 1995, Mousa Abu Marzook, along with his wife, sought admission to the United States at New York John F. Kennedy (JFK) International Airport. During a search of Marzook's wife, an address book was found. This search occurred only after Marzook and his wife were repeatedly questioned concerning whether they had any such materials. The address book contained numerous contact numbers for various HAMAS officials and leaders of HAMAS's front organizations in the United States and abroad, as well as non-HAMAS terrorist leaders from other Palestinian groups. Among those listed in Marzook's address book is SADOUN. [Exhibit G]

26. Despite a formal request for Marzook's extradition filed by the Government of Israel based on his involvement in terrorist activities in Israel, Marzook was ultimately excluded and deported from the United States to Jordan in May 1997, where HAMAS was headquartered at the time. Marzook has been a Specially Designated Terrorist since August 29, 1995.

The InfoCom and HLF Investigations

27. (b)(7)(E),(k)(2)

28. (b)(7)(E),(k)(2)

The (b)(6),(b)(7) Search

29. Based on information developed during the course of the above-referenced investigations as well as an August 20, 2004 incident, wherein Maryland Transit Authority officers encountered (b)(6),(b)(7)(C) and his wife videotaping the Chesapeake Bay Bridge² under suspicious circumstances, the FBI obtained a warrant to search (b)(6),(b)(7)(C) home. The search warrant was obtained from the U.S. District Court, Eastern District of Virginia.
30. (b)(6),(b)(7)(C) —a US-MB leader and HAMAS member with known ties to (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) —was also a member of an organization central to the HAMAS network in the United States, an organization the FBI would soon come to know as PALCOM. [Exhibit A10-Ashqar List]
31. During the search of (b)(6),(b)(7)(C) home, the FBI seized several documents that provided a clear picture of both the Muslim Brotherhood and HAMAS organizational structures in the United States. [Exhibits A12, H, J, N, O, P, Q, R, T, U, W, X, Y, AA] A document entitled "Security Concepts" also described secretive measures that members of the Muslim Brotherhood's covert organizations undertook to avoid detection. [Exhibit O].
32. The documents seized from (b)(6),(b)(7)(C) home, coupled with information obtained during the course of the FBI's other investigations, provided a historical perspective of the Muslim Brotherhood and HAMAS as well as their numerous front organizations within

² The Chesapeake Bay Bridge, officially named the William Preston Lane Jr. Memorial Bay Bridge serves as the main transit link between the Washington/Baltimore metro areas and Maryland's Eastern Shore.

the United States—including the creation of the US-MB's Palestine Committee, or PALCOM.

The Creation of PALCOM

33. The FBI's investigations revealed that the US-MB created PALCOM as a secret organization to serve the sole purpose of supporting HAMAS from within the United States with media, money, and personnel.
34. The creation of PALCOM in the United States was controlled by the US-MB's Palestinian members, including Specially Designated Terrorist Mousa Abu Marzook. From 1988 until approximately 1994, Marzook served as the Palestine Committee's leader, or Chairman. During that time, he also served as the leader of the US-MB (1988-1992) and HAMAS (1989-1995). Specifically, Marzook held the title of HAMAS Political Bureau Chief, the organization's highest official position. Marzook is the first individual on the list of PALCOM members recovered from Ashqar's home. [Exhibit A10] Marzook also co-founded the UASR with SADOUN and attended MAYA conferences while SADOUN served as MAYA's President. [Exhibit Z] Marzook is currently an international fugitive as he continues to operate out of Damascus, Syria, as the HAMAS Deputy Political Bureau Chief—essentially the number two leader of HAMAS worldwide. [Exhibit I]
35. The FBI seized numerous documents from Elbarasse's home, including "An Explanatory Memorandum," dated May 22, 1991, concerning the strategic goal of the US-MB. This document outlined in detail the US-MB's plan for jihad and the elimination of Western civilization from within the United States. [Exhibit A12]
36. The FBI also seized a document that sets out PALCOM's bylaws and its stated purpose to oversee the UASR, IAP, and Occupied Land Fund. *[From 1989 until 1992, the HLF was located in California and, until 1991, was known as the Occupied Land Fund. In 1992, the HLF relocated to Richardson, Texas and became incorporated in Texas.] (All references to the Occupied Land Fund will be as the HLF).* PALCOM's bylaws state that "the nature of the committee's work is...the Palestinian cause on the American front in cooperation and coordination with the Brothers inside and outside within its vested authorities." The bylaws specifically state that PALCOM was formed by the Muslim Brotherhood's executive office because of "the important developments produced by the blessed Intifada in the Occupied Territories." [Exhibit P]
37. Another document seized from Elbarasse's home described PALCOM's basic structure in the early 1990s, and sets forth the organizations PALCOM controlled—the IAP, UASR, HLF, and training and finance divisions. [Exhibit Q] In addition, a document entitled "Meeting Agenda for the Palestine Committee 7/30/1994" summarized the work done by the HLF, IAP, UASR, and a fourth PALCOM-controlled organization—the Council on

American-Islamic Relations (CAIR).³ [Exhibit Y] As mentioned earlier, at PALCOM's October 1993 Philly Conference, they discussed the need to create a new front organization. CAIR was subsequently founded by two PALCOM members, Omar Ahmad and Nihad Awad. Sadoun later joined CAIR at the national level as its Vice Chairman, leading to the inclusion of three PALCOM members in key CAIR leadership positions. [Exhibit Y] As discussed in more detail below, SADOON was affiliated with all four organizations in some capacity. A chart has been created to demonstrate his connections to the HLF, IAP, UASR, and CAIR, as well as Marzook, HAMAS, and PALCOM. [Attachment 1]

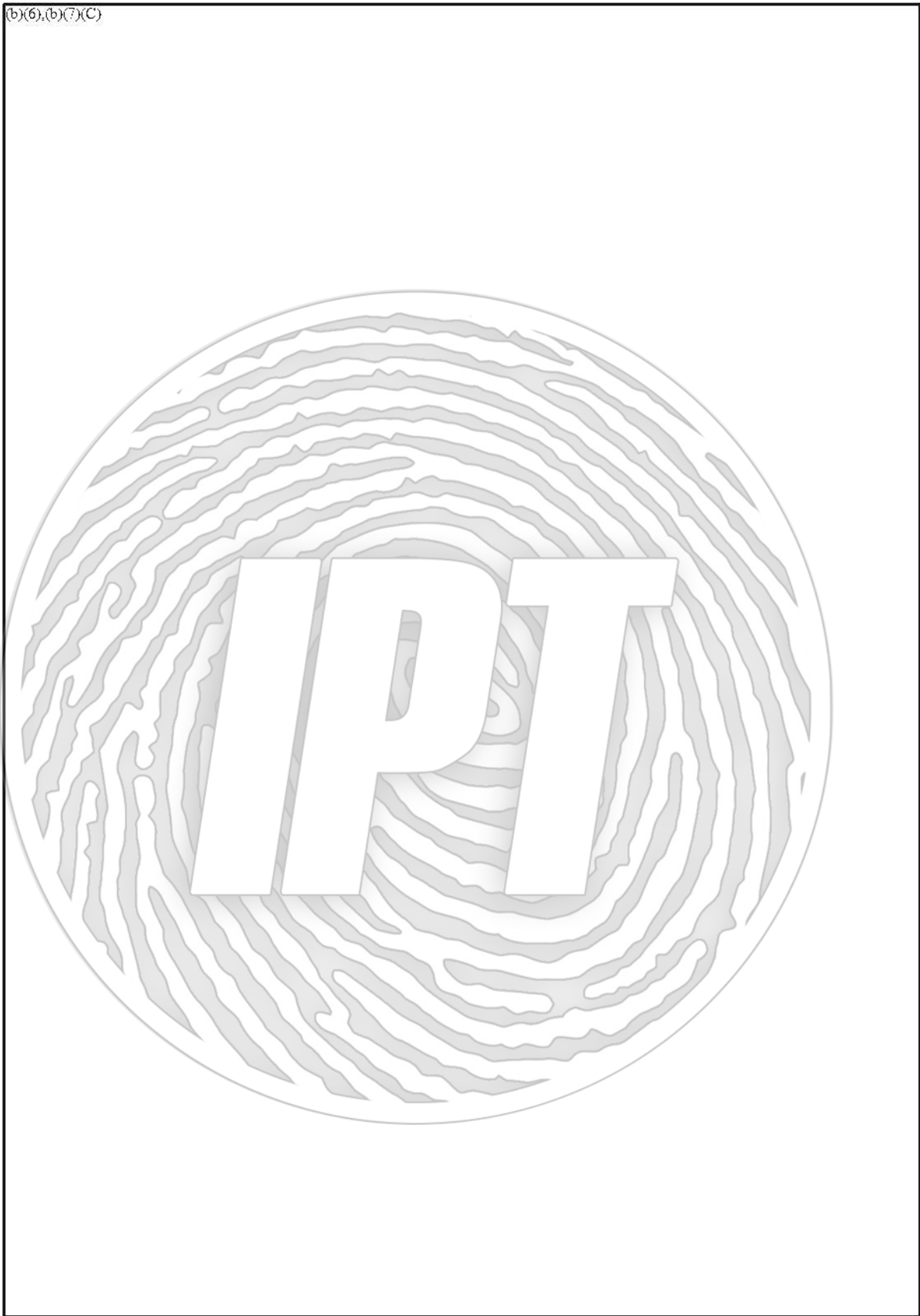
38. Additional documentation, including the 1989-1990 PALCOM report seized during the Elbarasse search, confirmed PALCOM's relationship with HAMAS. [Exhibit AA] Several of PALCOM's reports to the Muslim Brotherhood and the Shura Council further illustrated the relationship between PALCOM and HAMAS. [Exhibits R, T, X, Y]
39. The FBI also seized membership lists for several organizations and conferences. [Exhibits A10, J] These documents provided critical insight into the secretive groups that had been operating in the United States since the formation of PALCOM in the late 1980s.
40. As a result of the Elbarasse search, the FBI was able to determine that the Ashqar List—which listed "Important phone and fax numbers (Palestine Section/America)"—was, in fact, the list of PALCOM members circa 1989. The list, which included SADOON, also displays the clear connections between the individuals listed and the HAMAS front organizations in the United States. The individuals' familial ties to HAMAS members is further corroborative evidence of PALCOM's clear affiliations to HAMAS and its stated purpose—to support HAMAS from within the United States.
41. SADOON was a member of PALCOM. As set forth above, Marzook—the first individual listed on the Ashqar List—served as PALCOM's leader, or Chairman, from its inception in 1988 until his departure from the United States in 1994. During this time, he also served as the leader of HAMAS worldwide.
42. In addition to SADOON and Marzook, some of the other individuals on the Ashqar List include (as referenced on the list in descending order):

(b)(6),(b)(7)(C)

³ As set forth below, CAIR was created as a PALCOM-controlled organization in 1994, following the Philly Conference.



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)

SADOUN'S MEMBERSHIP OR AFFILIATION WITH HAMAS-RELATED ORGANIZATIONS AS REVEALED THROUGH INVESTIGATIONS

43. As set forth above, the HLF, IAP, UASR, and CAIR were all PALCOM-controlled organizations. SADOUN—as a PALCOM member—was affiliated with each organization. [Attachment 1]
44. Shortly after PALCOM was created, it formed two primary U.S.-based front organizations to support HAMAS—the UASR and HLF—and also assumed control of the IAP, a pre-existing Muslim Brotherhood organization.

United Association for Studies and Research (UASR)

45. The UASR served as the political arm of HAMAS in the United States and was charged with supporting HAMAS by promoting the organization's ideology. [Exhibits Q, L] As set forth in PALCOM's 1989-1990 Committee Report—seized from Elbarasse's home—UASR published books in support of HAMAS, the proceeds of which went to further benefit the Intifada. [Exhibit AA]
46. SADOUN admitted during a June 4, 2003 ICE interview that he attended a meeting to create UASR as a think-tank. UASR's Articles of Incorporation and Annual Reports, filed with the State of Illinois, reveal that SADOUN served as an incorporator and founding Board member for UASR in 1989, along with Specially Designated Terrorist and current HAMAS Deputy Political Bureau Chief Mousa Abu Marzook.

The Holy Land Foundation for Relief and Development (HLF)

47. The HLF, from its inception in or around 1988, shortly after formal establishment of HAMAS, served as the financial arm of HAMAS within the United States. The HLF is clearly identified as a PALCOM organization in the organizational charts and meeting minutes seized from Elbarasse's home. [Exhibits Q, T, Y]
48. On December 4, 2001, the Department of the Treasury's Office of Foreign Asset Control (OFAC) designated the HLF as a Specially Designated Terrorist and Specially Designated Global Terrorist pursuant to the International Emergency Economic Powers Act (IEEPA) and Executive Orders 13224 and 12947, and blocked all of its assets. The HLF challenged its designation in the U.S. District Court, District of Columbia; however, on August 8, 2002, the district court confirmed that the evidence establishes that the "HLF has had financial connections to Hamas since its creation in 1989." *Holy Land Found. for Relief & Dev. v. Ashcroft*, 219 F.Supp.2d 57, 69 (D.D.C. 2002) As a result, the U.S. Court of Appeals, District of Columbia Circuit, upheld the HLF's designation as a terrorist organization and the accompanying order blocking its assets. *Holy Land Found. for Relief & Dev. v. Ashcroft*, 333 F.3d 156 (D.C. Cir. 2003).
49. On November 24, 2008, a federal jury in Dallas, Texas, convicted the HLF and its leaders on several terrorism-related charges, including Providing Material Support to a Foreign Terrorist Organization under 18 U.S.C. § 2339B(a)(1), stemming from their use of the guise of charity to raise and funnel more than \$12.4 million to support HAMAS. [Exhibit CC] The other PALCOM-controlled organizations—UASR, IAP, and CAIR—were all listed as unindicted co-conspirators in the HLF trial.
50. On May 27, 2009, U.S. District Judge Jorge A. Solis imposed prison sentences on (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) The court also issued a criminal forfeiture judgment in the amount of \$12.4 million. During (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)'s sentencing hearing, District Judge Solis confirmed what other federal courts as well as the HLF jury had previously concluded—that "the evidence shows over the years since HLF was created until it was shut down in 2001, for over ten years they raised millions of dollars that went to support a terrorist organization and to support terrorists." Transcript of Sentencing at 56, *United States vs. Holy Land Found. for Relief & Dev.*, No. 04-CR-240 (N.D. Tex. filed July 26, 2004).
- 51 (b)(6),(b)(7)(C) confirmed during an FBI interview that he specifically raised money for HAMAS through the HLF. In addition, the HLF investigation uncovered checks deposited in the HLF account that were made out for the "Palestinian Mujahudeen [sic] only"—identified by Sheikh (b)(6),(b)(7)(C) as the military wing of HAMAS in a UASR book. [Exhibit EE] [Exhibit DD, testimony of SA (b)(6),(b)(7)(C) Oct 2, 2008, p. 72]
52. The FBI has uncovered numerous donor lists and cancelled checks which SADOUN personally wrote to the HLF. As a high ranking member of the US-MB and a member of PALCOM, SADOUN would have knowledge of HLF's role as HAMAS's financial arm

in the United States. In addition, the FBI seized HLF meeting minutes which indicate that the HLF's leaders, convicted terrorists, and fellow PALCOM members—(b)(6),(b)(7)(C)—recommended SADOUN for a position on the HLF's advisory board. [Exhibit BB]

Muslim Arab Youth Association (MAYA) and Islamic Association for Palestine (IAP)

53. Other organizations—including MAYA—also played pivotal roles in building HAMAS's infrastructure within the United States. MAYA served as a conduit for money to HAMAS, through the HLF, and served as a forum where HAMAS could promote its ideology and recruit new members. MAYA's annual conferences—often held in conjunction with IAP conferences or festivals—provided HAMAS, the HLF, and its members and advocates with a platform to promote their cause and solicit donations. (b)(6),(b)(7)(C) confirmed during an FBI interview that HLF raised money for HAMAS at MAYA's conferences. [Exhibit L]
54. MAYA's Articles of Incorporation, filed with the State of Indiana in 1989, reveal that SADOUN served as an incorporator and founding Board member for MAYA. During a June 4, 2003 ICE interview, SADOUN also confirmed that he served as MAYA's President, and he arranged several of MAYA's annual conferences in 1988, 1989, and 1990, respectively.
55. MAYA was also listed as an unindicted co-conspirator in the HLF trial based on its affiliation with the US-MB, and in turn, HAMAS. Mohamed Akram specifically listed MAYA on a US-MB "list of our organizations and the organizations of our friends." [Exhibit A12]
56. A videotape of a MAYA conference obtained by the FBI during its investigations showed SADOUN sitting next to HAMAS leader Mousa Abu Marzook. While the tape itself is undated, other evidence has established that this occurred during the Kansas City Conference in 1989. As noted above, in 1989, Marzook was not only the leader of HAMAS, but also the leader of the US-MB and PALCOM. According to (b)(6),(b)(7)(C) Marzook attended a number of MAYA conferences where "closed-door" PALCOM member meetings would take place to discuss HAMAS activities. [Exhibit L]
57. During the HLF investigation, the FBI seized financial records from the HLF. FBI Special Agent (b)(6),(b)(7)(C) testified in the HLF trial that checks payable to MAYA were deposited by the HLF into its bank account(s). [Exhibit DD, testimony Oct 2, 2008, p. 72] Testimony and exhibits introduced during the HLF trial also demonstrated that—at a July 1990 HLF meeting—the HLF arranged for speakers at a MAYA conference scheduled for the following December. [Exhibit DD, testimony October 14, 2008, p. 35]. As set forth above, SADOUN confirmed during his June 4, 2003 ICE interview that he arranged MAYA's annual conference in 1990.
58. The IAP—originally incorporated in the State of Illinois in 1981 by Aly. A Mishal, and later in the State of California in 1986 by Ghassan Elashi—served as HAMAS's

propaganda wing in the United States and published numerous articles and pamphlets to support HAMAS's cause.

59. The IAP often shared time with MAYA—an organization for which SADOUN held a leadership role—at conferences and would produce skits and “entertainment” designed to promote HAMAS's ideology. [Exhibit L] These skits were typically presented immediately before leaders of the HLF requested donations from those in attendance. As (b)(6),(b)(7)(C) —who attended these conferences and was a member of the IAP—confirmed during FBI interviews, everyone understood that the money raised by the HLF at the IAP and MAYA functions would go to HAMAS.
60. As set forth in the IAP's own internal memo, and through its publication of the HAMAS charter, IAP supported both HAMAS's military activities as well as its ideology of destroying Israel to create an Islamic state in its place. [Exhibits A1, H, U]
61. SADOUN is listed on an IAP mailing list seized by the FBI during the course of its investigation. As a recipient of the IAP's articles and pamphlets, SADOUN would have had first-hand knowledge of HAMAS's violent activities and stated purposes to destroy Israel through such publications.
62. SADOUN has also supported HAMAS's message of violent jihad. During a December 1992/January 1993 interview that appeared in the *Al-Amal* magazine, SADOUN made clear that he supported violent jihad against Israel. [Exhibit A9] SADOUN provided this interview as the leader of MAYA. During this interview, SADOUN specifically stated that “I have great confidence that the solution of the Palestine problem will only be if we follow the Islamic way, which is capable to defeat the Jewish” and “we have to raise the spirit of Al-Jihad and the struggle, among Palestinian people and other Islamic nations, we have to support the Palestinian uprising.” [Exhibit A9]
63. Although SADOUN has denied to FBI and INS/ICE agents that he is or was a member of the US-MB, documents seized during the search of (b)(6),(b)(7)(C) home refute his denial. For example, the FBI seized a document entitled “Names of Members of the Organizational Conference for the MB for the year 1990” during the search, which listed Sadoun as an “Elected Member” of the “Plains” region. [Exhibit J] Notably at that time, the Shura Council members to whom the Organizational Conference and Plains region reported included Marzook. [Exhibit J] This document also confirmed that MAYA—an organization for which SADOUN served as President—is a Muslim Brotherhood organization. [Exhibit J] Other members of the US-MB also confirmed SADOUN's membership during FBI interviews. [Exhibits K, L]
64. SADOUN was a member of PALCOM in 1989 as evidenced by the Ashqar List. [Exhibit A10] Based on my experience and knowledge gained during the course of several HAMAS-related investigations, and upon information and belief, SADOUN would not have been chosen as a PALCOM member if he was not an active member of the US-MB, either openly or covertly. Specifically, known PALCOM members were also active US-MB members. PALCOM was a covert organization and thus, only trusted members of an

inner circle would have been chosen for membership. SADOUN is listed as a member of PALCOM along with (b)(6),(b)(7)(C) and many other known Muslim Brotherhood and/or HAMAS members. According to (b)(6),(b)(7)(C) SADOUN also attended closed-door PALCOM meetings led by Marzook at MAYA Conferences in 1991 and 1992. During these meetings, Marzook discussed how HAMAS would become a major player in the Middle East. Marzook specifically discussed jihad during these meetings as the method HAMAS would use. Current HAMAS Political Bureau Chief and Specially Designated Terrorist Khalid Mishal also spoke during at least one of the closed-door PALCOM meetings. (b)(6),(b)(7)(C) also advised the FBI that HAMAS leader and fugitive Abu Obeidah spoke during a closed-door meeting, and at the 1992 Conference, Marzook organized those in attendance—which included SADOUN—into Political, Media, Fundraising and Education sub-organizations to support HAMAS. [Exhibit L]

65. SADOUN was a founding member of the UASR in 1989 as evidenced by the Articles of Incorporation and Annual Reports filed in the State of Illinois. He served alongside fellow PALCOM members Marzook and Mohamed Akram. During a June 4, 2003 ICE interview, SADOUN admitted attending one UASR meeting in the late 1980s or early 1990s that involved several organizations and dealt with Muslim involvement in American political life. [Exhibit A] In addition, during a March 30, 2006 FBI interview, SADOUN stated that the UASR was established in an attempt to unite the IAP, MAYA, and other organizations as a Muslim think tank. As noted above, the proceeds of books published by the UASR were directed to support the Intifada. Although SADOUN claimed during his June 4, 2003 ICE interview that he had no idea that he was a UASR director and was never asked to be one, UASR's Articles of Incorporation reveal that SADOUN, in fact, signed the incorporation documents as a member of the UASR's founding Board of Directors. [Exhibit Z] Thereafter—as evidenced by the UASR's Annual Reports filed with the State of Illinois—SADOUN continued to serve as an Executive Director along with Marzook. [Exhibit Z]
66. SADOUN was a leader of MAYA as evidenced by the Articles of Incorporation, filed on October 23, 1989, in the State of Indiana. [Exhibit V] MAYA's other founding Board of Directors members included PALCOM member Izzat Mansour as well as Usama Bin Laden's half-brother, Abdullah Bin Laden. [Exhibit V] During a 2003 ICE interview, SADOUN admitted being on the Board of Directors, elected President in 1988 or 1989, and helping arrange MAYA conferences around 1988, 1989, and 1990.
67. (b)(6),(b)(7)(C) —who knows SADOUN as well as MAYA's organizational structure—confirmed that SADOUN was involved with organizing and preparing MAYA's annual conferences and camps. [Exhibit L] (b)(6),(b)(7)(C) also advised the FBI during interviews that he attended a 1992 MAYA conference where SADOUN delivered a speech which was immediately followed by a video about HAMAS and requests by (b)(6),(b)(7)(C) for monetary donations that would go to HAMAS. [Exhibit L] Khalid Mishal, currently the highest-ranking member of HAMAS and considered its world leader, served as the keynote speaker at the 1992 MAYA conference.

68. During MAYA's 1992 conference in Oklahoma City, SADOON also led the discussions about the deportation of 400 HAMAS terrorists. A video played at the conference described how HLF money went to support the deportees and their families. [Exhibit L]
69. During a March 30, 2006 FBI interview, SADOON asked the FBI to look at the "new SADOON" and not the "old SADOON." During the interview, SADOON made at least three false statements to the FBI, as shown by the evidence as a whole. *First*, SADOON stated that he had never been a Muslim Brotherhood member. *Second*, SADOON stated that he cannot say for sure who else is a member of the Muslim Brotherhood. *Third*, SADOON stated that he had absolutely no relationship with members of HAMAS.
70. Evidence obtained during the FBI's investigations detailed above demonstrates that SADOON was an elected member of the Muslim Brotherhood's Plains region. [Exhibit J] During the March 30, 2006 FBI interview as well as his June 4, 2003 ICE interview, SADOON did not deny that HAMAS speakers attended, addressed, and presented their cause at MAYA conferences when SADOON served as MAYA's President. In fact, SADOON attempted to justify his actions during his ICE interview by stating that he did not support HAMAS *after* they were "outlawed." When confronted with the presence of HAMAS speakers at the conferences he organized for MAYA, SADOON stated that he had to be polite to all guest speakers and that it was his responsibility to offer guest speakers who would discuss "hot topics."
71. The FBI has also uncovered evidence that SADOON made personal financial contributions to the HLF. For example, the FBI obtained evidence of SADOON's financial contributions to the HLF as early as June 1, 1994. In addition, SADOON wrote several personal checks to the HLF even after HAMAS was designated as a Specially Designated Terrorist by President Clinton on January 25, 1995. The checks, which have been recovered from the HLF bank records during the investigations, include donations of: \$150 on December 27, 1994; \$100 on April 24, 1998; \$100 on June 20, 1998; \$1,000 on December 24, 2000; and \$100 as recently as February 15, 2001. [Exhibit FF] As set forth above, the HLF's leaders, convicted terrorists, and fellow PAICOM members—(b)(6), (b)(7)(C)—recommended SADOON for a position on the HLF's advisory board. Based on my experience, and upon information and belief, the HLF's leaders would not have considered SADOON for a position on the HLF's board unless he had knowledge of the HLF's role to support HAMAS financially from within the United States.
72. Although two of the HLF's leaders—Haitham Maghawri and Akram Mishal—who were indicted in the HLF trial remain international fugitives and subjects of outstanding INTERPOL Red Notices, SADOON admitted during his March 30, 2006 FBI interview that he met with Maghawri while in Beirut, Lebanon, in November 2005. SADOON's meeting with Maghawri occurred more than a year after Maghawri was listed as a named defendant in the HLF indictment, and thus, Maghawri's ties to the HLF were publicly known.

73. As further evidence of SADOON's affiliation with the numerous HAMAS-affiliated organizations as well as his connections to high-level HAMAS leaders, the FBI investigation also uncovered phone records related to SADOON's registered phone number in 1993 and 1994. Specifically, the phone number registered to SADOON made numerous calls to the personal home telephone number registered to Khalid Mishal, the current world leader of HAMAS. The phone records indicate that SADOON called Mishal at least 12 times on the following dates: February 6, 1993; March 8, 1993; March 9, 1993; March 11, 1993; April 4, 1993; November 8, 1993; November 22, 1993; December 13, 1993; December 21, 1993; July 24, 1994; August 16, 1994; and August 18, 1994. In addition, phone records indicate that SADOON also called Saudi Arabia and spoke to AbdelRahim Nasrallah—a member of the HAMAS finance committee—on February 19, 1995.

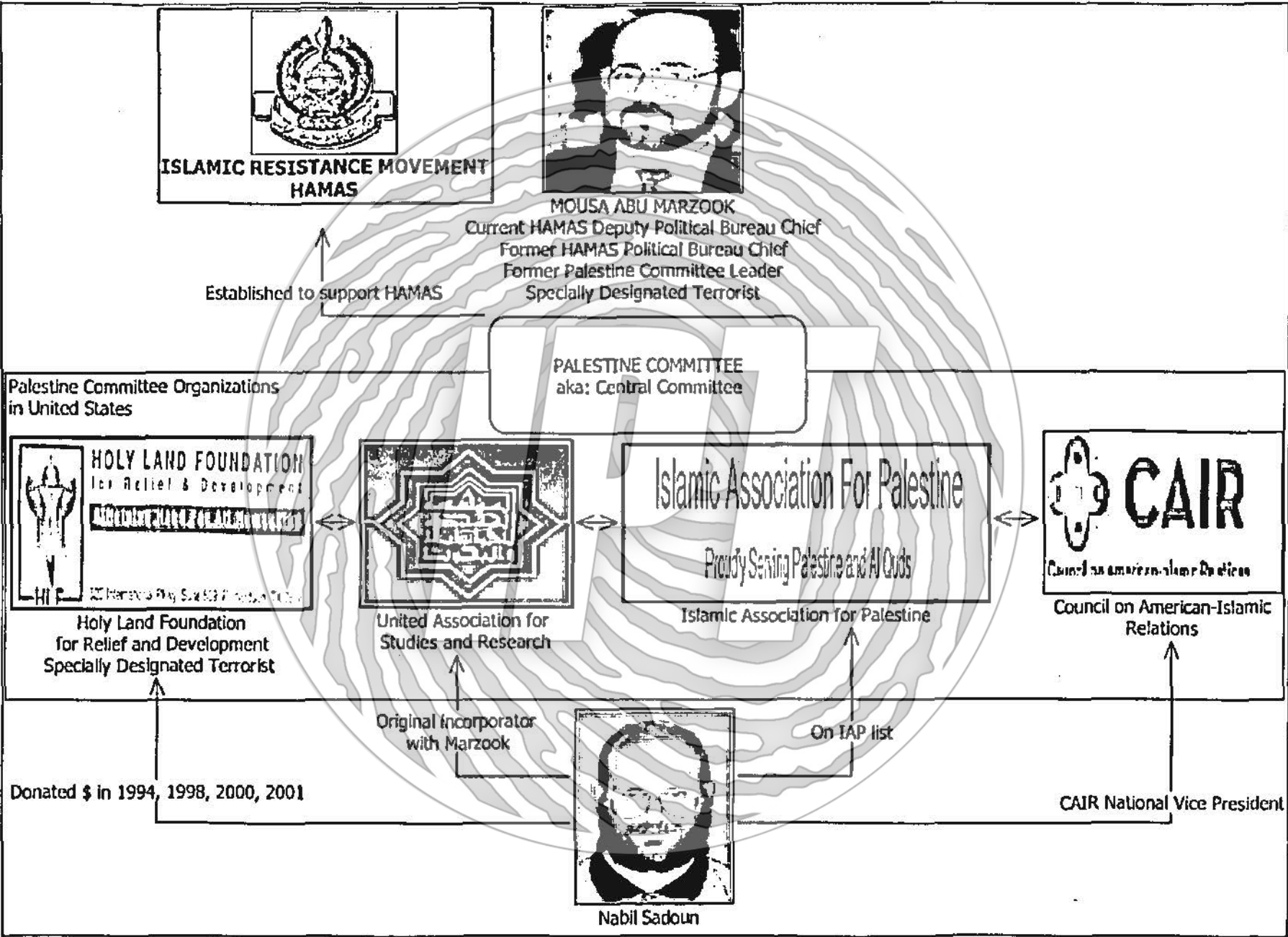
74. Lastly, SADOON has also served in numerous leadership positions for CAIR. Until recently, SADOON served on CAIR's national board as its Vice Chairman. SADOON openly acknowledged he was a member of CAIR during his June 4, 2003 ICE interview and March 30, 2006 FBI interview. At the Philly Conference in October 1993, the U.S.-based HAMAS leaders discussed the public scrutiny that its several front organizations were receiving from both the public and law enforcement. As a result, the leaders discussed the need to establish a new organization. In the aftermath of the Philly Conference, CAIR was created as a fourth PALCOM-controlled organization. [Exhibit Y] As set forth in July 30, 1994 meeting notes, CAIR was now listed as a PALCOM organization alongside UASR, HLF, and IAP. [Exhibit Y] CAIR's link to other PALCOM organizations can be seen on the attached chart. [Attachment 1]

CONCLUSION

75. In light of the foregoing and as a result of the aforementioned investigations, the FBI has concluded that SADOON was a member of, or affiliated with, several organizations that were affiliated with HAMAS. Specifically, he was a leader of MAYA, a founding member of the UASR, a member of the US-MB, and a member of PALCOM. SADOON was a member of these organizations prior to the issuance of his immigrant visa on July 19, 1993, as well as his admission to the United States as a lawful permanent resident on August 12, 1993, and he failed to disclose his membership or affiliations on his application for an immigrant visa filed with the U.S. Department of State. In fact, SADOON has concealed his affiliations with HAMAS-affiliated organizations on every application or petition he has filed with INS, ICE, or USCIS.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed at Dallas, Texas, on this 11th day of February, 2010.

(b)(6),(b)(7)(C)



Page 22 of 1013

000114

Sadoun, Nabil

(b)(6),(b)(7)(C)

CERTIFICATE OF SERVICE

On, February 17, 2010, I, (b)(6),(b)(7)(C) served a copy of this Government's List of Exhibits and any attached pages to _____ via hand delivery.

Date: 2/17/2010

(b)(6),(b)(7)(C)
Assistant Chief Counsel

