

Memorandum Addressing Application of the Foreign Agents Registration Act to Agents and Instrumentalities of the State of Qatar

This memorandum examines the application of the Foreign Agents Registration Act, 22 U.S.C. §§ 611-621 (“FARA”), to agents of the government of Qatar, including, *inter alia*, Qatar Foundation International, Duke University, the University of North Carolina at Chapel Hill, Northwestern University, and primary and secondary school teachers who have participated in teacher-training programs paid for and designed by Qatar.

The Lawfare Project has been examining the nature and extent of Qatar’s involvement in the American education system and the influence Qatar exerts through its funding of programs that amount to paid political speech that emphasize an understanding of only the positive aspects of Islam while omitting a balanced discussion of other religions or belief systems. The lack of balance of perspectives that is crucial to a critical understanding of the Middle East is particularly troubling because it is perceived as originating organically from American universities, rather than acknowledged to be the product of Qatar’s influence.

Our preliminary review of publicly available documents suggests that FARA applies to Qatar’s activities, and requires that the institutions and individuals benefitting from its funding register as agents of Qatar.

Section I of this memorandum provides an overview of Qatar’s activities and influence on the American education system. Section II examines FARA. Section III presents the preliminary conclusion that, based upon publicly available information, registration is required under FARA. Section IV addresses additional considerations with respect to investigating the issues set forth herein.

I. Overview of Qatar’s Influence on American Education

For years, the government of Qatar¹ has been financing an extensive influence operation in America. By funding think tanks, activist organizations, mosques – and now American universities and education programs – the influence operation has engaged in political activities that benefit Qatar while inculcating virulent anti-Semitism that continues to spread in American society.

Qatar is a top supporter of the Muslim Brotherhood (including its Palestinian wing) and terrorist groups like Hamas and al-Qaeda affiliates, among others. Al-Jazeera, one of the most

¹ Qatar refers to the sovereign government of Qatar, as well as its agencies, subdivisions or instrumentalities.

influential Islamist extremist propaganda outlets in the world, is essentially an arm of the Qatari government.²

Since 2012, Qatar has also been a top supporter of universities throughout the United States, giving approximately \$1.5 billion to 28 universities in the form of monetary gifts and contracts. This support comes through the Qatar National Research Fund and its parent organization, the Qatar Foundation (“QF”).³ QF, “founded in 1995 by His Highness Sheikh Hamad Bin Khalifa al-Thani, Emir of Qatar, and chaired by Her Highness Sheikha Mozah Bint Nasser al-Missned,” is registered with the U.S. government as a foreign principal since at least 2006, in accordance with FARA (discussed *infra*).⁴ The registration indicates that it is supervised, owned, directed, controlled, financed and subsidized “by a foreign government, foreign political party, or other foreign principal,” namely Qatar.⁵

Apart from the support given to universities in the United States, QF spends approximately \$405 million a year to cover the expenses for six American universities that have opened campuses in Qatar: Northwestern, Texas A&M, Georgetown, Virginia Commonwealth, Cornell and Carnegie Mellon. The Lawfare Project has been working with Clarion Project, a non-profit organization that educates the public about the dangers of radical Islam and other extremist ideologies, to identify and trace the flow of money from Qatar to these universities.⁶

² See Kenneth Katzman, “Qatar: Governance, Security, and U.S. Policy,” No. R44533, *Congressional Research Service*, Dec. 12 2019, pg. 4 (“The government owns and subsidizes Al Jazeera satellite television network[.]”). In May 2019, Al-Jazeera’s Arabic language video channel, AJ+ Arabic, came under fire for producing an anti-Semitic Holocaust denial video that denied that exterminations took place at Nazi concentration camps and claimed that the Zionist movement was the biggest beneficiary from the Holocaust.

³ The Qatar Foundation was created by the Emir of Qatar, and is sponsored and supported by the government of Qatar. Nominally a charity, it has strong links to Muslim Brotherhood spiritual leader (and Hamas financier) Sheikh Yousef al-Qaradawi. In 2008, QF named a research center in honor of al-Qaradawi, whose stated objective is promoting his ideology.

⁴ <https://efile.fara.gov/docs/3301-Exhibit-AB-20060315-5.pdf>; <https://efile.fara.gov/docs/6585-Exhibit-AB-20180830-3.pdf>

⁵ *Id.*

⁶ See, e.g., Alex VanNess, “Prominent US Universities Failed to Disclose \$1.3 Billion in Foreign Funding,” *Clarion Project*, Jan. 9, 2020, available at: <https://clarionproject.org/6-prominent-us-universities-failed-to-disclose-1-3-billion-in-foreign-funding/>; Ryan Mauro and Alex VanNess, “Clarion Exclusive Report: Foreign Influence Ops on US Universities,” *Clarion Project*, Sept. 5, 2019, available at: <https://clarionproject.org/us-universities-foreign-funding-clarion-intel-exclusive/>. Clarion Project is preparing additional materials regarding Qatar’s funding, and will provide them promptly as they become available.

In addition to its spending on universities, Qatar also funds training programs for American students in schools across the United States.⁷ Qatar Foundation International (“QFI”), the U.S.-based subsidiary of QF, has spent more than \$30 million funding programs in public schools.⁸ QFI was formed “for the purpose of advancing the vision of Her Highness Sheikha Moza[h] Bint Nasser and the vision of the Qatar Foundation.”⁹ Schools that accept money from QFI are required to give over a degree of access and control to the Qatari organization.¹⁰

QFI and QF are inextricably linked, not just to each other, but also to the Qatari government. QFI’s Executive Director, Maggie Mitchell Salem, stated in 2018: “[QF]’s CEO Sheikha Hind Al-Thani — and her mom, [QF] Chairperson Sheikha Moza bint Nasser — are my bosses!”¹¹ Additionally, QFI has received significant funding from QF. According to QFI’s submissions to the IRS (especially Form 990s), it received over \$10 million from QF between 2010 and 2012.¹² Notably, when reporting QFI’s transfer of cash assets, these forms refer to QF as “a related party.”

The subsections below highlight QF and QFI initiatives with respect to Duke University, the University of North Carolina (“UNC”), and Northwestern University. On October 11, 2019, The Lawfare Project submitted records requests to UNC in accordance with North Carolina’s Public Records Law seeking information regarding activities conducted by QF and QFI.¹³ To date,

⁷ Adam Kredo, “Qatar Waging Influence Operations Across U.S. Through Hacks, Secret Cash Deals,” *The Washington Free Beacon*, Feb. 6, 2019, available at: <https://freebeacon.com/national-security/qatar-waging-mass-influence-operations-across-u-s/>

⁸ Tawnell D. Hobbs, “U.S. Schools Receive Aid From Qatar,” *The Wall Street Journal*, Aug. 25, 2017, available at: <https://www.wsj.com/articles/u-s-schools-receive-aid-from-qatar-1503682830> (“The Qatar Foundation gave \$30.6 million over the past eight years [2009-2017] to several dozen schools from New York to Oregon and supporting initiatives to create or encourage the growth of Arabic programs, including paying for teacher training, materials and salaries. The funding came through Qatar Foundation International[.]”). According to QFI, it currently funds programs in 24 American schools and academic programs. <https://www.qfi.org/opportunities/grants-to-schools/>

⁹ <https://bigjolly.com/wp-content/uploads/2015/08/MOU-QATARAIMS.pdf>

¹⁰ See discussion of Duke, *infra*.

¹¹ <https://twitter.com/magsmitchell/status/1070210030413189120>

¹² https://pdf.guidestar.org/PDF_Images/2012/205/714/2012-205714317-083b6edb-F.pdf. The forms also identify QFI’s treasurer as Khalid al Kuwari, a senior Qatari government official at the time. QFI changed its business form to a Delaware-registered Limited Liability Company (LLC) in 2012, ostensibly to avoid the financial disclosures it was obligated to make as a private charity. Unlike charities, LLCs are not required to disclose their funding sources. Consequently, there is a lack of publicly available documents indicating the sources of QFI’s funding. It should be noted that, even after it changed its registration to avoid reporting requirement, QFI admitted that “[its] major donor is the Qatar Foundation in Doha.” <http://web.archive.org/web/20140415040150/http://qfi.org/list/14/1/FAQs> (Internet archive dated April 15, 2014).

¹³ The Lawfare Project has also submitted, and will be submitting, public records requests to various school districts that have been identified as receiving funding or tangible benefits from QFI or QF.

there has been no substantive response to our requests. We anticipate that UNC has responsive documents that will shed light on the relationship between QFI and QF, on the one hand and, *inter alia*, UNC and Duke University’s Consortium for Middle East Studies, on the other. Responsive documents are likely to show Qatari control and influence over American education to a degree that warrants intervention including, but not limited to, requiring QFI, the respective universities, and professors and teachers who use QFI-approved curricula to register as foreign agents under FARA.

A. Duke

In June 2019, Duke University held an immersion program for teachers of grades 6-12 titled “Dimensions of the Middle East.”¹⁴ This teacher training program aimed to train 40 teachers hand-selected by QFI, which provided more than \$111,000 in funding. Teachers applied for this program by “register[ing] for an account on Qatar Foundation International’s Grants Management Portal, FluidReview, at qfi.fluidreview.com.”¹⁵ The teachers invited to participate in the program were ostensibly selected by QFI, rather than Duke. Candidates for this program – teachers from school districts ranging in location from North Carolina, Illinois and Virginia – first had to commit to QFI that they will create and submit a Middle East curriculum based on the content provided.¹⁶ Apparently, “[a]n internal copy of the training agenda suggests an extreme bias in favor of Islam and Sharia law, and against Israel.”¹⁷ In fact, the curriculum appears to minimize and downplay, if not outright ignore, the history and contributions of non-Muslim people (including Jews and Christians) in the Middle East.

Notably, some of the “specialists” chosen by Duke to present the program were also involved in a controversial March 2019 conference, “Conflict Over Gaza: People, Politics and

¹⁴ This information was initially publicly available on Duke’s website at <https://islamicstudies.duke.edu/summer-institute>. As this memorandum was being prepared, Duke and/or QFI restricted access to this page, which now reads “Access denied. You are not authorized to access this page.” However, a snapshot of this page is available online on the Internet Archive, at: <https://web.archive.org/web/20191202055635/https://islamicstudies.duke.edu/summer-institute>. (Exhibit D). Duke’s Middle East Studies Center is part of the Duke-UNC Consortium for Middle East Studies, <https://middleeaststudies.duke.edu/duke-unc-consortium-middle-east-studies>, which sponsored the immersion program in conjunction with QFI. QFI is identified in program materials as a Member of Qatari Foundation.”

¹⁵ <https://islamicstudies.duke.edu/sites/default/files/atoms/files/QFI%20Duke%20SI%20Program%20Announcement.pdf>. (Exhibit E).

¹⁶ “Selected participants will be required to develop and submit a lesson plan or activity within two months of the institute’s completion.” https://islamicstudies.duke.edu/sites/default/files/atoms/files/2019%20Summer%20Institute%20Flyer_Dimensions%20of%20the%20Middle%20East.pdf (Exhibit F).

¹⁷ Sloan Rachmuth, “Using U.S., Qatari Funding, Duke University Teaches K-12 Teachers Biased Info About Islam,” *The Federalist*, July 8, 2019, available at: <https://thefederalist.com/2019/07/08/using-u-s-qatari-funding-duke-university-teaches-k-12-teachers-biased-info-islam/>

Possibilities,” which is being investigated by the Department of Education for anti-Israel bias and for featuring anti-Semitic songs.

The Education Department lunched an investigation into how \$235,000 in federal grants were used to fund a series of anti-Israel events organized by Duke University and UNC that featured speakers and events tied to Palestinian terrorist groups.¹⁸ Several of the events held during the conference were organized by Students for Justice in Palestine (“SJP”), a group that has a history of distributing anti-Semitic propaganda on many American college campuses, and thereby fostering unsafe environments for Jewish students. Additionally, several speakers at the conference were videotaped discussing how they held meetings with members of the Popular Front for the Liberation of Palestine (“PFLP”), which was designated a Foreign Terrorist Organization by the U.S. Secretary of State in 1997. As noted above, at all relevant times, Duke received funding from Qatar.

On December 3, 2019, Duke entered into a Resolution Agreement with the Education Department’s Office for Civil Rights (“OCR”) to resolve a complaint alleging that Duke discriminated on the basis of national origin (“shared ancestry, Jewish”) in connection with the anti-Israel events, *supra*. Pursuant to the Resolution Agreement, Duke agreed to issue a statement that it “does not tolerate anti-Semitic harassment or discrimination,” and would “provide a description of the forms of anti-Semitism that can manifest in the University environment.”¹⁹ Duke also agreed to “host a meeting” to discuss harassment or discrimination (not limited to anti-Semitic harassment), and to include a component on discrimination (not limited to anti-Semitic harassment) in its training modules and orientation sessions through 2021 – for two years.²⁰ Notably, the Resolution Agreement neither identifies the underlying anti-Semitic events (and conduct) that gave rise to the complaint against Duke, nor addresses in any way the influence of foreign funding on the discrimination and harassment experienced on campus. Providing a “description” of anti-Semitism is a far cry from taking concrete action to prevent it.

B. University of North Carolina

The Duke-UNC Consortium for Middle East Studies (the “Consortium” or “CMES”) is a collaboration between the University of North Carolina at Chapel Hill (“UNC”) and Duke University. It “encourages collaboration and cooperation in all aspects of Middle Eastern studies across [their] two campuses and across disciplines.”²¹ According to the Consortium’s website,

¹⁸ Adam Kredo, “Group Demands Docs Related to Qatar’s Suspected Infiltration of U.S. Public Schools,” *The Washington Free Beacon*, Oct. 29, 2019, available at: <https://freebeacon.com/national-security/group-demands-docs-related-to-qatars-infiltration-of-u-s-public-schools/>

¹⁹ <https://zoa.org/wp-content/uploads/2019/12/Duke-Resolution-Agreement-with-OCR-12-3-19.pdf> (Exhibit G)

²⁰ *Id.*

²¹ <http://ncmideast.org/>

As the recipient of a Title VI Middle East Studies grant from the U.S. Department of Education, the Consortium is a National Resource Center. We support our faculty, students, and also our community (K-12 and community college teachers as well as the general public) in deepening understanding of the Middle East.

On August 29, 2019, the Department of Education expressed concerns regarding UNC's use of Title VI funds vis-à-vis the Consortium's activities, including its activities for elementary and secondary school students and teachers. In a letter to Dr. Terry Magnuson, UNC's Vice Chancellor for Research, Assistant Secretary Robert King wrote:

The Duke-UNC CMES appears to lack balance as it offers very few, if any, programs focused on the historic discrimination faced by, and current circumstances of, religious minorities in the Middle East, including Christians, Jews, Baha'is, Yazidis, Kurds, Druze, and others. Also, in your activities for elementary and secondary students and teachers, there is a considerable emphasis placed on the [sic] understanding the positive aspects of Islam, while there is an absolute absence of any similar focus on the positive aspects of Christianity, Judaism, or any other religion or belief system in the Middle East. This lack of balance of perspectives is troubling and strongly suggests that Duke-UNC CMES is not meeting legal requirement [sic] that National Resource Centers "provide a full understanding of the areas, regions, or countries" in which the modern foreign language taught is commonly used. See 20 U.S.C. 1122(a)(1)(B)(ii) (emphasis added); 34 CFR 656.3(b)(1).²²

Additionally, the Education Department's letter noted that "[t]he teacher-training activities hosted by the Duke-UNC CMES lack lawful focus on language development and instead advance narrow, particularized views of American social issues."²³ UNC, Duke and the Consortium have all collaborated with or received money from Qatar in connection with their Middle East programs generally, and the teacher training program specifically.²⁴

On October 14, 2019, UNC entered into a Resolution Agreement with the OCR to resolve a complaint alleging that UNC had discriminated against "students of Jewish descent" in connection with the anti-Israel events described above. Pursuant to the Resolution Agreement, UNC agreed to issue a statement that it "does not tolerate acts of prohibited harassment [query

²² 84 FR 48919 (Sept. 17, 2019).

²³ *Id.*

²⁴ *Id.*; see also <https://www.qfi.org/about-qfi/who-we-work-with/>

whether there is such a thing as *permissible* harassment], including but not limited to anti-Semitic harassment,” and “encourage any student who believes he or she has been subjected to such harassment to report it to the University.”²⁵ UNC also agreed to revise its *Policy on Prohibited Discrimination, Harassment and Related Misconduct* to reflect, *inter alia*, that “the harassment of students on the basis of their actual or perceived shared ancestry or ethnic characteristics, including but not limited to anti-Semitic harassment, may constitute discrimination on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964.”²⁶ UNC also agreed to host meetings (through 2021) to discuss concerns about harassment (not limited to anti-Semitic harassment) and include a component on harassment in its training modules and orientation sessions.²⁷

Notably, the Resolution Agreement neither identifies the underlying anti-Semitic events (and conduct) that gave rise to the complaint against UNC, nor addresses in any way the influence of foreign funding on the discrimination and harassment experienced on campus. Providing a statement that anti-Semitic harassment “may” constitute discrimination is a far cry from taking concrete action to prevent it.

In October 2019, The Lawfare Project submitted a records request to UNC pursuant to North Carolina’s Public Records Law.²⁸ The request sought documents relating to CMES and the issues identified above. UNC has failed to respond to the request in a timely manner, effectively denying it and depriving the public the opportunity to understand the nature and extent of Qatar’s influence on the American education system. Consequently, The Lawfare Project is contemplating legal action to compel disclosure, in accordance with well-settled North Carolina law.

C. Northwestern

In 2008, Northwestern University established a campus in Qatar. Funded by the Qatar Foundation and overseen by Northwestern’s Medill School of Journalism, Northwestern University in Qatar (“NU-Q”) focuses on journalism and communications. The Medill School of Journalism advertises NU-Q as their “onsite presence in the Middle East” and offers American students opportunities to experience semester or journalism residency programs in Qatar, or pursue their entire degree there.²⁹

In 2013, NU-Q and Al-Jazeera Network signed a Memorandum of Understanding (“MOU”) to “facilitate collaboration and knowledge transfer between two of Qatar’s foremost media organizations.” According to the press release announcing the MOU:

²⁵ <http://dig.abclocal.go.com/wtvd/docs/OCR%20Resolution%20Agreement.pdf> (Exhibit H).

²⁶ *Id.*

²⁷ *Id.*

²⁸ Exhibit A, attached hereto.

²⁹ <https://www.medill.northwestern.edu/about-us/our-locations/qatar/index.html> (Exhibit I).

The agreement, which deepens ties between the two organizations that have worked together since NU-Q's inception, will allow professionals and budding journalists from both sides to benefit from the combined expertise of the two institutions through joint research and strategic studies projects, training workshops, a co-designed lecture series, internships and faculty contributions as well as journalist-exchange programs.

In addition, NU-Q will conduct consultations with Al Jazeera leadership based on its faculty research interests and expertise in the American media industry, as the news network moves forward with its planning for Al Jazeera America.³⁰

A recent example of the so-called scholarship coming from NU-Q is a tweet from one of the university's journalism professors, Justin Martin, which used the anniversary of 9/11 to downplay the horrific nature of that terrorist attack.³¹ Martin has a long history of expressing support for the Boycott, Divestment and Sanctions ("BDS") Movement against Israel, and has written about how Al-Jazeera can make itself appear more credible to American audiences. Unsurprisingly, he has been rewarded with two grants from QF's National Priorities Research Program, totaling over \$1.3 million.

In connection with preparing this memorandum, The Lawfare Project contacted Canary Mission, an organization that documents individuals and organizations that promote hatred of the USA, Israel and Jews on college campuses. Canary Mission is in the process of, *inter alia*, tracing the anti-Semitic effects of NU-Q's programs by identifying the publicly available content its students and graduates have put forth in various media, including Al Jazeera and the BBC.³²

In November 2019, The Lawfare Project submitted a records request to the Department of Education pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 522. The request sought documents relating to the operation of NU-Q filed with the DOE, including, *inter alia*, contracts between Northwestern and Qatar, QF, and Al Jazeera. On January 14, 2020, the Education Department responded that it did not have any responsive documents, and provided only a summary overview of foreign funding to American universities.³³ It is disconcerting that the

³⁰ <https://www.qatar.northwestern.edu/news/articles/2013/03-nu-q-al-jazeera-mou.html> (Exhibit J).

³¹ Morton Schapiro, Northwestern's president, released a statement on September 12, 2019 condemning the tweet as "insensitive and deeply disappointing." To date, Northwestern has neither disciplined nor terminated Martin. See <https://news.northwestern.edu/stories/2019/09/911-tweet/&fj=1>. (Exhibit K).

³² Canary Mission's materials, including pending publications on this subject, will be submitted as soon as they become available.

³³ Exhibit B.

Education Department lacks any information pertaining to the nature and extent of Northwestern's operations in Qatar.

II. The Foreign Agents Registration Act

A. Overview of the Foreign Agents Registration Act

The central law governing the activities of foreign agents or foreign entities acting in the United States is the Foreign Agents Registration Act ("FARA"), 22 U.S.C. §§ 611-621. Originally enacted in 1938 to promote transparency with respect to foreign propaganda, FARA has evolved in its scope over the course of subsequent decades. According to the Department of Justice ("DOJ"), FARA exists "to insure that the U.S. Government and the people of the United States are informed of the source of information (propaganda) and the identity of persons attempting to influence U.S. public opinion, policy, and laws."

FARA requires people and entities acting "as an agent of a foreign principal" in an attempt to influence U.S. politics to register with the office of the U.S. Attorney General,³⁴ file copies of informational materials that they distribute for a foreign principal,³⁵ and maintain records of their activities.³⁶ FARA contains several exemptions to these registration, disclosure and recordkeeping requirements.³⁷

Courts have recognized a compelling governmental interest in requiring agents of foreign principals to register and disclose foreign influence in the domestic political process, resulting in a number of constitutional challenges being rejected over the decades since FARA was enacted.³⁸

B. Historical Background of FARA

FARA's legislative history indicates that Congress believed that the public disclosure of a foreign agent's activities and the information it distributed on behalf of foreign sources was

³⁴ 22 U.S.C. § 612.

³⁵ *Id.* § 614.

³⁶ *Id.* § 615.

³⁷ There are exemptions for U.S. diplomats, the press, most lawyers representing foreign clients, and anyone engaging in "activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts." *Id.* § 613.

³⁸ See *Attorney Gen. of the U.S. v. Irish People, Inc.*, 595 F. Supp. 114, 120-21 (D.D.C. 1984); *Attorney Gen. v. INAC*, 530 F. Supp. 241 at 258 (S.D.N.Y. 1981), *aff'd*, 668 F.2d 159 (2d Cir. 1982); *Attorney Gen. v. INAC*, 346 F. Supp. 1384 (S.D.N.Y. 1972), *aff'd mem.*, 465 F.2d 1405 (2d Cir.), *cert. denied*, 409 U.S. 1080, 93 S. Ct. 679, 34 L. Ed. 2d 669 (1972); *United States v. Peace Info. Ctr.*, 97 F. Supp. 255, 259-62 (D.D.C. 1951); *United States v. Auhagen*, 39 F. Supp. 590, 591 (D.D.C. 1941); see also *Meese v. Keene*, 481 U.S. 465, 478 (1987).

essential to combat potentially pernicious foreign influence. *See* H.R. Rep. No. 1381 at 2, 75th Cong., 1st Sess. (1937) (highlighting evidence that foreign entities were funding propaganda efforts and justifying the registration requirement as “publiciz[ing] the nature of subversive or other similar activities of such foreign propagandists, so that the American people may know those who are engaged in this country by foreign agencies to spread doctrines alien to our democratic form of government, or propaganda for the purpose of influencing American public opinion on a political question”).

FARA addresses the concerns of foreign influence by “bring[ing] the activities of persons engaged in disseminating foreign political propaganda in this country out into the open ... mak[ing] known to the Government and the American people the identity of any person who is engaged in such activities, the source of the propaganda and who is bearing the expense of its dissemination in the United States.” *Auhagen, supra*, 39 F. Supp. at 591.

As a Senate Committee on Foreign Relations report explained when addressing amendments to the Act in 1965:

The original target of foreign agent legislation—the subversive agent and propagandist of pre-World War II days—has been covered by subsequent legislation, notably the Smith Act. The place of the old foreign agent has been taken by the lawyer-lobbyist and public relations counsel whose object is not to subvert or overthrow the U.S. Government, but to influence its policies to the [satisfaction] of his particular client.

S. Rep. No. 143, 89th Cong., 1st Sess. (1965). Amendments to FARA in 1966 shifted its focus from the spread of propaganda to the role of foreign influence in American politics via back-channel money and influence.

C. Identifying the Agents of Foreign Principals

FARA prohibits a “person” from acting as an “agent of a foreign principal” without first registering with DOJ.³⁹ Because FARA’s disclosure and recordkeeping requirements are imposed on those “persons” required to register under the Act,⁴⁰ the central issue when considering the application of FARA to foreign lobbying is whether a person qualifies as an “agent of a foreign principal.” FARA expressly defines the term *person* for purposes of the statute to include individuals, partnerships, associations, corporations, organizations, or any other combination of individuals.⁴¹ Identifying whether such individuals or entities are agents of foreign principals

³⁹ 22 U.S.C. § 612(a).

⁴⁰ *Id.* §§ 614-615

⁴¹ *Id.* § 611(a).

involves two determinations: (1) whether that person is acting as an *agent*, and (2) whether the agent is acting for a *foreign principal*.

(1) What qualifies a person as an “Agent?”

FARA defines the term “agent” to mean “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.”⁴² DOJ regulations do not provide further clarification on the scope of the agency requirement under FARA; they do not expressly identify the necessary elements of an agent’s relationship with the foreign principal.⁴³ However, the DOJ has defined “control or any of its variants” for purposes of the statute “to include the possession or the exercise of the power, directly or indirectly, to determine the policies or the activities of a person, whether through the ownership of voting rights, by contract, or otherwise.”⁴⁴

The Second Circuit’s standard for determining agency under FARA contemplates the nature of the agency relationship intended for regulation under FARA: “In determining agency for purposes of [FARA, the] concern is not whether the agent can impose liability upon his principal but whether the relationship warrants registration by the agent to carry out the informative purposes of the Act.” *Attorney Gen. of U.S. v. Irish N. Aid Comm.*, 668 F.2d 159, 161 (2d Cir. 1982) (holding that the agency relationship must be determined within the context of the statute, not by common law agency, under which control of the agent contemplates the agent’s power to bind the principal). According to the Second Circuit, agency depends upon whether a *specific person* has been asked to take a *specific action* on behalf of a foreign principal. *Id.* at 161-62. Notably, “[o]nce a foreign principal establishes a particular course of conduct to be followed, those who respond to its ‘request’ for complying action may properly be found to be agents under the Act.” *Id.* at 162.

FARA requires registration even if the individual or entity is not yet acting as an agent but “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[.]”⁴⁵ FARA requires neither an actual contractual relationship nor that agents be compensated for their action on the foreign principal’s behalf, meaning that the registration requirement applies to both paid and volunteer agents.⁴⁶ Furthermore,

⁴² 22 U.S.C. § 611(c)(1).

⁴³ *See* 28 C.F.R. § 5.100.

⁴⁴ *Id.* § 5.100(b).

⁴⁵ 22 U.S.C. § 611(c)(2).

⁴⁶ *See Attorney Gen. of the United States v. Irish People, Inc.*, 595 F. Supp. 114, 118 (D.D.C. 1984) (“There is no distinction made by FARA, however, between paid and unpaid agents.”).

unlike other lobbying disclosure statutes, FARA does not include any threshold requirements, requiring any individual or entity acting as an agent of a foreign principal to register regardless of whether the time or expenses involved are minimal.⁴⁷

(2) Activities for Which an Agent Must Register

An “agent” must register as such if, on behalf of its foreign principal, he or she “directly or through any other person”:

- (i) engages within the United States in political activities for or in the interests of such foreign principal;
- (ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;
- (iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or
- (iv) within the United States 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).

Additionally, Congress expressly defined many of the terms used to establish the broad scope of activities for which agents must register. For example:

- “Political activities” are defined as “any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.”⁴⁸
- “Public relations counsel” is defined as “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.”⁴⁹

⁴⁷ See 2 U.S.C. §§ 1601-1614.

⁴⁸ 22 U.S.C. § 611(o).

⁴⁹ *Id.* § 611(g).

- “Publicity agent” is defined as “any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise.”⁵⁰
- “Political consultant” is defined as “any person who engages in informing or advising any other person with reference to the domestic or foreign policies of the United States or the political or public interest, policies, or relations of a foreign country or of a foreign political party.”⁵¹

(3) FARA’s Definition of a “Foreign Principal”

FARA requires registration by agents who act on behalf of any individual or entity “any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal.”⁵²

The statutory definition of “foreign principal,”⁵³ includes:

- (1) a government of a foreign country and a foreign political party;
- (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and
- (3) 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.

Any individual or entity acting as an agent for a foreign *private* entity may also be subject to FARA unless covered by an applicable exemption.

⁵⁰ 22 U.S.C. § 611(h).

⁵¹ *Id.* § 611(p).

⁵² *Id.* § 611(c)(1).

⁵³ *Id.* § 611(b).

D. Obligations of Agents Under FARA

FARA includes three principal provisions that apply to agents of foreign principals: registration requirements,⁵⁴ disclosure requirements,⁵⁵ and recordkeeping requirements.⁵⁶

(1) Registration

The primary mechanism of FARA's regulatory scheme is its requirement that agents of foreign principals register with the U.S. government. Agents of foreign principals must file a registration statement with the DOJ within 10 days of becoming such an agent.⁵⁷ The registration statement must include information about: the agent and the agent's business; the agreement to represent the foreign principal; and income and expenditures related to the activities performed. Specifically, a registration statement must include, *inter alia*:

- names, contact information, and nationality of the agent. If the agent is an entity, it must also include copies of its governing documents (e.g., articles of partnership, articles of incorporation, bylaws, etc.).⁵⁸
- “comprehensive” descriptions of the nature of the agent's business, including a list of employees and every foreign principal for whom the agent acts;⁵⁹
- copies of agreements regarding the terms and conditions of the agent's representation of the foreign principal and detailed statements of any activity undertaken or agreed to that would require registration;⁶⁰
- nature and amounts of any income, contributions, money, or thing of value received by the agent in the preceding 60 days from each foreign principal, whether received as compensation or for disbursement;⁶¹

⁵⁴ 22 U.S.C. § 612.

⁵⁵ *Id.* § 614.

⁵⁶ *Id.* § 615.

⁵⁷ *Id.* § 612(a).

⁵⁸ *See id.* § 612(a)(1), (2).

⁵⁹ *Id.* § 612(a)(3).

⁶⁰ 22 U.S.C. § 612(a)(4).

⁶¹ *Id.* § 612(a)(5).

- detailed statements of every activity which the agent is performing or has agreed to perform for himself or any other person, including a detailed statement of any such activity which is a political activity;⁶²
- detailed statements of expenditures during the preceding 60 days made in connection with activities requiring registration or in connection with elections for political office;⁶³ and
- copies of written agreements, the terms and conditions of oral agreements or, where a contract exists, a statement of all the circumstances, by reason of which the agent is performing the activities that require his registration.⁶⁴

Following initial registration, agents must submit supplemental information updating the original filing at six-month intervals.⁶⁵

(2) Disclosure Requirement

Any agent of a foreign principal who is required to register and who distributes “informational materials” on behalf of a foreign principal must also file copies of those materials with the DOJ within 48 hours of beginning the process of distribution.⁶⁶ This disclosure requirement applies to any materials that are distributed through interstate or foreign commerce and that take a form that would reasonably be expected to be distributed to two or more people.⁶⁷

In addition to disclosing the existence of such materials to the DOJ, the agent must also include “a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal” when the materials are transmitted in the United States.⁶⁸ FARA also requires agents representing foreign principals who transmit political propaganda or solicit information related to political interests from U.S. agencies or officials to include with such transmittals or solicitations “a true and accurate statement” identifying the person as an agent of a foreign principal.⁶⁹

⁶² 22 U.S.C. § 612(a)(6).

⁶³ *Id.* § 612(a)(8).

⁶⁴ *Id.* § 612(a)(9).

⁶⁵ *Id.* § 612(b).

⁶⁶ *Id.* § 614(a).

⁶⁷ *Id.*

⁶⁸ *Id.* § 614(b).

⁶⁹ *Id.* § 614(e).

(3) Recordkeeping

FARA requires agents to maintain records with respect to their activities and make any such records available for government inspection to ensure compliance.⁷⁰ Agents must maintain records for three years after terminating their representation of their foreign principal, and the records must be available for inspection at any reasonable time.⁷¹ The concealment or destruction of any records required to be kept constitutes an express violation of FARA.⁷²

E. Enforcement Under FARA

FARA is enforced by a unit within the DOJ's National Security Division. Any person who willfully violates FARA – including failure to register as an agent of a foreign principal, making false statements of material fact, or omitting material facts or documents – may be subject to civil and criminal penalties upon conviction.⁷³ Violations are punishable by up to five years in prison or a \$10,000 fine.⁷⁴ The Attorney General may also seek injunctive relief to enjoin actions in violation of FARA.⁷⁵

Enforcement actions may be undertaken only at the discretion of the Attorney General, because the statute does not confer a private right of action for enforcement by private parties. *See Comm. for Free Namibia v. S.W. Africa People's Org.*, 554 F. Supp. 722, 725-26 (D.D.C. 1982) (“Under FARA's provisions, the Executive Branch, through the Attorney General, is responsible for administering and enforcing all of the provisions of the Act. The statute could not be clearer in that regard.”).

III. FARA Requires That the Recipients of Qatar's Funding, Including the Aforementioned Universities and the Teachers who Attended Training Programs Held at Those Universities, Register as Foreign Agents.

The most important purpose served by FARA is that it informs the American public of the identity of persons who engage in political activities for (or on behalf of) foreign governments and

⁷⁰ 22 U.S.C. § 615.

⁷¹ *Id.* § 615.

⁷² *Id.*

⁷³ *Id.* § 618(a).

⁷⁴ *Id.* § 618(a)(2).

⁷⁵ *Id.* § 618(f)

foreign principals. This allows the statements and activities of these persons to be viewed – and interpreted – in light of their associations.

Qatar’s efforts to influence the American public education system – especially through its establishment of a curriculum that is strongly oriented towards Islam and biased against Israel and Jewish history, culture and heritage – is precisely the sort of activity that FARA is meant to protect against.

Consider Qatar’s summer program for teachers in light of the Second Circuit’s holding that, “[o]nce a foreign principal establishes a particular course of conduct to be followed, those who respond to its ‘request’ for complying action may properly be found to be agents under the Act.” *Irish N. Aid Comm.*, *supra*, 668 F.2d at 162. Qatar (the foreign principal) has established a course of conduct to be followed (a curriculum), and those who respond to its request for complying action (teachers who commit to following the curriculum) “may properly be found to be agents under” FARA. *Id.*

Qatar’s agents are not just the teachers who agree to follow the curriculum it sets forth; Qatar’s agents include all the individuals and entities who receive funding from Qatar:

- Qatar Foundation International [or any other U.S. registered Qatar agency] must register as an agent under FARA because “within the United States [it]...disburses or dispenses contributions, loans, money, or other things of value for or in the interest of” Qatar. 22 U.S.C. § 611(c)(1)(iii).
- The universities, including, but not limited to, Northwestern, Duke and UNC, must register as agents under FARA because they “directly, or through any other person,” such as faculty members, lecturers, and speakers, “engage[] within the United States in political activities for or in the interests of” Qatar. 22 U.S.C. § 611(c)(1)(i).

The political activities – including political speech⁷⁶ – engaged in by the various academic departments that receive funding from Qatar must be evaluated in light of the universities’ associations with Qatar. At a minimum, the political activities are intended to influence the American public to change the domestic and foreign policies of the United States with regard to its support of Israel (or of Qatar). *See* 22 U.S.C. § 611(o). Therefore, these universities must register as Qatar’s agents in accordance with FARA, so that these political activities can be properly evaluated in light of Qatar’s support for Islamic terrorism, anti-Semitism, and opposition to Israel.

⁷⁶ Political speech is, at essence, commentary on matters of public concern. “[S]peech deals with matters of public concern when it can be ‘fairly considered as relating to any matter of political, social, or other concern to the community, or when it is a subject of legitimate news interest; that is, a subject of general interest and of value and concern to the public.’” *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (internal citations omitted).

As set forth by the DOJ, FARA exists “to insure that the U.S. Government and the people of the United States are informed of the source of information (propaganda) and the identity of persons attempting to influence U.S. public opinion, policy, and laws.” *See supra*. It is essential that the universities receiving funding from Qatar register as foreign agents so that the people of the United States better understand that the information provided through those universities, which elevates and gives prominence to Islam and so-called “Palestinian” causes while criticizing, condemning and denigrating Jewish people and Israel, is information that comes from Qatar and runs contrary to historical accuracy, the norms of international and human rights laws, the foreign policy and national security interests of the United States, and its domestic policy interests against discrimination.

Qatar’s activities on university campuses and in elementary and secondary school classrooms amount to paid political speech; Qatar, through QF and QFI, is providing funding in order to increase the reach of its self-serving political speech to the exclusion of other speech. The continued existence of this one-sided, paid political speech, without notice and warning to the people exposed to it, has important and deleterious impact on a democratic society and is incompatible with the law pertaining to Title VI funding.

Publicly available information, such as the documents that show the extent of QFI’s control of Duke’s 2019 “Dimensions of the Middle East” teacher training program, indicate the need to hold the participants accountable as agents of a foreign principal. As additional information is developed, both through open records requests (such as those submitted by The Lawfare Project) and through government investigation (which is essential at this stage), it is foreseeable that a more detailed picture will emerge of the nature and extent of Qatari influence on the American education system and political process.⁷⁷ This, in turn, will guide the government’s legal and public policy considerations with respect to the undue and unacknowledged influence exerted by a foreign government on American education. The underlying issue, crucial to the integrity both of the education system and the political system, is one of accountability. In this case, accountability requires that Qatar’s agents be identified as such when it comes to the programs and political activities they fund.

IV. Additional Considerations

The Lawfare Project’s investigation reveals considerable Qatari infiltration in the American education system and the media. This infiltration, funded and organized through QF and QFI, has turned American universities and primary and secondary school teachers into *de facto* agents of the Qatari government, conveying its political (and anti-Semitic) views to students and the general population without any acknowledgment of the origins of these views. For students, parents and a general public that lack awareness of these foreign origins, and therefore lack balance

⁷⁷ The Lawfare Project anticipates updating this memorandum with supporting materials, including details on the professors and activities funded by Qatar through QF and QFI. Additional investigation is needed to ascertain the extent of Qatar’s funding of and control over activities, and to assess the extent to which Qatar’s actions amount to political activity.

and perspective, this amounts to indoctrination. For this reason, registration in accordance with FARA is essential.

On June 18, 2019, Senator Charles Grassley, the Chairman of the Senate Finance Committee – along with seven other Senators and Congressmen – sent a letter to Attorney General William Barr. The letter pointed out “the Justice Department’s lax and selective enforcement of the Foreign Agents Registration Act” and asked, *inter alia*, “why the DOJ has not required Al Jazeera or its employees to register under FARA.”⁷⁸ To the best of our knowledge, Secretary Barr has never responded to this inquiry. Considering the extent of Qatari influence and infiltration, this is a matter of great public importance that warrants the DOJ’s attention. We respectfully request that, as a starting point, Attorney General Barr publicly respond to the concerns raised by Congress, and also commence a DOJ investigation into Qatari funding in the American education system and media, as highlighted by this memorandum.

The federal government’s involvement and assistance in investigating the issues identified by The Lawfare Project is essential. The Education Department’s response to our FOIA request demonstrates that there is a lack of documentation regarding foreign funding and influence on American education. This situation can be remedied through the application of FARA, as well as by commencing investigations (whether by federal agencies or by Congress). Indeed, federal investigations are necessary because private inquiries regarding Qatar’s funding of American schools have been hampered by lack of transparency, lack of compliance with the law and, in some cases, active obstruction by Qatar.⁷⁹

The Lawfare Project’s public records request to UNC has gone unanswered and we are considering litigation to force UNC to comply with the law; the federal government’s involvement, whether by issuing subpoenas for the same records or by joining the litigation as *amicus curiae*, would serve the very significant government interest of obtaining transparency regarding foreign funding and influence on American institutions. Furthermore, The Lawfare Project is preparing records requests under applicable state disclosure laws with respect to the curriculum taught by teachers who attended Qatari-funded programs. The federal government’s assistance and intercession with these requests would likewise serve the compelling government interest in the quality of the nation’s public schools, as identified by the Education Department.⁸⁰

⁷⁸ <https://www.grassley.senate.gov/sites/default/files/documents/2019-06-18%20CEG%20et%20al%20to%20DOJ%20%28AI%20Jazeera%20FARA%29.pdf> (Exhibit C).

⁷⁹ See, e.g., Mary Margaret Olohan, “Judicial Watch Joins Investigation Into Qatar Funding of Texas A&M,” *Daily Caller*, May 9, 2019, available at: <https://dailycaller.com/2019/05/09/judicial-watch-qatar-texas-am/>

⁸⁰ This is especially the case in instances in which schools receive assistance from the federal government. See, e.g., <https://www2.ed.gov/about/overview/fed/10facts/index.html>

The issues identified in this memorandum are sufficiently important to warrant the prompt attention of the government. The Lawfare Project will continue its efforts, and provide further information as it is developed. We are prepared to provide our expertise in a collaborative effort to address the legal issues pertaining to Qatar's significant involvement with our education system.

Dated: January 27, 2020

EXHIBIT A

Request #19-440

 OPEN

As of January 15, 2020, 1:32pm

Details

1. Every email or letter to or from an employee, staff member or representative of the Duke-UNC Consortium for Middle East Studies (CMES), the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global received or sent by a representative or agent of the Qatar Foundation International (QFI) during the time period of January 1, 2014 through October 2019
2. Every public record generated or created during the time period of January 1, 2014 through October 2019 that contains the phrase "Qatar Foundation International"
 1. in the body, header or footer;
 2. in a name or label
3. Every email or letter to or from an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global received or sent by a representative or agent of the Qatar Foundation (QF) during the time period of January 1, 2014 through October 2019.
4. Every public records generated or created during the time period of January 1, 2014 through October 2019 that contains the phrase "Qatar Foundation"
 1. in the body header or footer;
 2. in a name or label
5. Every email or letter to or from an employee, staff member or representative of the Duke-UNC Consortium for Middle East Studies (CMES), the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global

received or sent by a representative or agent of the Qatar Foundation International (QFI) or the Qatar Foundation (QF) that references or is related to professional training programs for U.S. K-12 during the years of 2016, 2017, 2018 and 2019

6. All documents created by or received by an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to professional training programs for U.S. K-12 teachers that were done in conjunction with the QFI or QF during the years 2016, 2017, 2018 and 2019.

7. All documents created by or received by an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to conferences or seminars for the professional training and development of U.S. K-12 teachers by the CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global done in conjunction with the QFI or QF during the years 2016, 2017, 2018 and 2019.

8. All documents created by or received by an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to conferences and seminars for the professional training of U.S. K-12 teachers which addresses or includes the involvement of the QFI in the selection of applicants to said programs during years of 2016, 2017, 2018 and 2019.

9. All documents created by or received by an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to the curriculum to be used at conferences and seminars for the professional training of U.S. K-12 teachers which addresses or includes the involvement of the QFI for the years of 2016, 2017, 2018 and 2019.

10. Any contracts between an employee, staff or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global and the QFI or the QF relating to conferences or seminars for the professional training and development of U.S. k-12 teachers by the

CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global done in conjunction with the QFI or QF during the years 2016, 2017, 2018 and 2019.

— [Read less](#)

Received

October 11, 2019 via web

Departments

None Assigned

Requester

Lori Tucker

Documents

(none)

Staff

Point of Contact

Public Records Office

Timeline

Request Published

Public

October 14, 2019, 9:15am

Request Opened

Public

Request received via web

October 11, 2019, 3:24pm

Request #19-441

 OPEN

As of January 15, 2020, 1:31pm

Details

1. Every email or letter sent to and from [information redacted] in the capacity of her work for Duke-UNC CMES, the John Hope Franklin Center, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global related to organizing and promoting professional training programs, conferences or seminars for U.S. K-12 teachers which involved the QFI or the QF during the years of 2015, 2016, 2017, 2018, and 2019.
2. Every email or letter sent to and from [information redacted] in the capacity of her work for the Duke-UNC CMES, the John Hope Franklin Center, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global related to selecting k-12 teachers for programs, conferences or seminars which involved the QFI or QF during the years of 2015, 2016, 2017, 2018 and 2019.
3. All public records created or generated by [information redacted] in the capacity of her work for the Duke-UNC CMES, the John Hope Franklin Center, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to selecting k-12 teachers for programs, conferences or seminars which involved the QFI or QF during the years of 2015, 2016, 2017, 2018 and 2019.
4. Every email or letter sent to and from [information redacted] in the capacity of his work for the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to organizing and promoting professional training programs, conferences or seminars for U.S. K-12 teachers which involved the QFI or the QF during the years of 2015, 2016, 2017, 2018, and 2019.
5. Every email or letter sent to and from [information redacted] in the capacity of his work for the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global related to selecting U.S. K-12 teachers for programs, conferences or seminars which involved the QFI or QF during the years of 2015, 2016, 2017, 2018 and 2019.

6. All public records created or generated by [information redacted] in the capacity of his work for the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to selecting U.S. K-12 teachers for programs, conferences or seminars which involved the QFI or QF during the years of 2015, 2016, 2017, 2018 and 2019.

— [Read less](#)

Received

October 11, 2019 via web

Departments

None Assigned

Requester

Lori Tucker

Documents

(none)

Staff

Point of Contact

Public Records Office

Timeline

Request Published

Public

October 14, 2019, 9:40am

Request Opened

Public

Request received via web

October 11, 2019, 4:16pm

Request #19-442

 OPEN

As of January 15, 2020, 1:32pm

Details

1. Every email or letter sent to and from [information redacted] in the capacity of his work as the Director of the Conflict Management Initiative at the University of North Carolina at Chapel Hill (UNC) and as the Associate Director for the UNC Center for Middle East and Islamic Studies, which references or is related to Jim Moran in his personal capacity or in his capacity as an employee of McDermott Will and Emery during the period of January 2015 to the end of September 2019.
2. Every email or letter sent to and from [information redacted], in the capacity of his work as the Director of the Conflict Management Initiative at the University of North Carolina at Chapel Hill (UNC) and as the Associate Director for the UNC Center for Middle East and Islamic Studies, which references or is related to Jim Moran in his personal capacity or in his capacity as an employee of Nelson Mullins Riley & Scarborough during year of 2019.
3. All public records created or generated by [information redacted] in the capacity of his work as the Director of the Conflict Management Initiative at the University of North Carolina at Chapel Hill (UNC) and as the Associate Director for the UNC Center for the Middle East and Islamic Studies, relating to selecting U.S. K-12 teachers for programs, conferences or seminars which involved the QFI or QF during the years of 2015, 2016, 2017, 2018 and 2019.
4. All public records generated by the Conflict Management Initiative at the UNC-Chapel Hill, the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global that contain "Jim Moran":
 1. in the body, header or footer;
 2. in a name or label

— [Read less](#)

Received

October 11, 2019 via web

Departments

None Assigned

Requester

Lori Tucker

Documents

(none)

Staff

Point of Contact

Public Records Office

Timeline

Request Published

Public

October 14, 2019, 9:40am

Request Opened

Public

Request received via web

October 11, 2019, 4:24pm

Request #19-443

 **OPEN**

As of January 15, 2020, 10:21am

Details

1. Every email or letter sent to and from Duke-UNC CMES Board member Miriam Cooke relating to the scheduling and subsequent cancellation of a March 17, 2017 presentation by Palestine Liberation Organization (“PLO”) leader Maen Rashid Areikat.
2. All public records generated or created by the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global that contain “Maen Rashid Arekiat”
 1. in the body, header or footer;
 2. in a name or label
3. Every email or letter sent to and from Duke-UNC CEMS Board member David Schanzer relating to the scheduling and subsequent cancellation of a March 17, 2017 presentation by PLO leader Maen Rashid Areikat.
4. All documents created by or used by an employee, staff member or representative of the Duke-UNC CMES, the Duke University Middle East Studies Center, the UNC Center for Middle East and Islamic Studies and UNC Global relating to or for the inclusion into U.S. K-12 teacher training, conferences, seminars or professional development during the years of 2015, 2016, 2017, 2018 and 2019.

— [Read less](#)

Received

October 11, 2019 via web

Departments

None Assigned

Requester
Lori Tucker

Documents

(none)

Staff

Point of Contact
Public Records Office

Timeline

Request Published

Public

October 14, 2019, 9:41am

Request Opened

Public

Request received via web

October 11, 2019, 4:29pm

EXHIBIT B



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

January 14, 2020

Ms. Lori Tucker
Attorney
The Lawfare Project
394 East Riding Drive
Carlisle, MA 01741

RE: FOIA Request No. 20-00384-F

Dear Lori Tucker:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated November 19, 2019 and received in this office on November 20, 2019. Your request was forwarded to the following offices to search for documents that may be responsive to your request: Office for Civil Rights (OCR) and Federal Student Aid (FSA).

You requested the following:

1. Any documents filed with the DOE relating to the operation of Northwestern University in Qatar during the years of 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.
2. Any contracts between Northwestern University and Qatar, the Qatar Foundation and/or Al-Jazeera that were filed with the DOE during the years of 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.
3. Any complaints filed with the OCR or any other department in the DOE involving Northwestern University in Qatar during the years of 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.
4. The disposition of any complaints filed with the OCR or any other department in the DOE involving Northwestern University in Qatar during the years of 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.
5. A summary of all amounts of funding or donations received by Northwestern University or Northwestern University in Qatar from Qatar, the Qatar Foundation, Al-Jazeera or any other foreign countries or entities during the years of 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019. (Date Range for Record Search: From 01/01/2008 To 11/20/2019)

Staff from OCR informed this office (FSC) that after a search of their files, they were unable to locate any documents that were responsive to your request.

FSA's Program Compliance office conducted a comprehensive search of IPM DM and Ez-Audit. FSA has no records responsive to elements 1,3 and 4 of your request. In response to elements 2 and 5, the Foreign Gift Reports from 2013 to present, is publicly available on the FSA data center at <https://studentaid.gov/data-center/school/foreign-gifts>. For data prior to 2013, a fully releasable spreadsheet is being provided to you responsive to your request.

The document provided is:

- Foreign Gifts Report

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of “an all other use requester.” However, the Department has provided you with this information at no charge. The Department's release of this information at no cost does not constitute the grant of a fee waiver and does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department. Because we were able to locate and process these documents at minimal costs, they are provided to you at no cost.

You have the right to seek assistance and/or dispute resolution services from the Department’s FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Executive Secretariat U.S. Department of Education 400 Maryland Ave., SW, LBJ 7C132 Washington, DC 20202-4500	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

You have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Executive Secretariat
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4536

Sincerely,

Sandra Lewandowski

Sandra Lewandowski
Government Information Specialist
Office of the Executive Secretariat

Enclosure

EXHIBIT C

Congress of the United States
Washington, DC 20510

June 18, 2019

VIA ELECTRONIC TRANSMISSION

The Honorable William Barr
Attorney General
United States Department of Justice
Washington, D.C. 20220

Dear Attorney General Barr:

For several years, in both the Obama and Trump administrations, Congress has conducted oversight of the Justice Department's lax and selective enforcement of the Foreign Agents Registration Act (FARA).¹ FARA is an important statute that was designed not to prohibit activity but rather to require individuals to register with the DOJ if they are acting as an agent of a foreign government or enterprise to influence U.S. policy or public opinion. This helps ensure transparency and accountability in the public policy arena. In that sense, FARA is a content-neutral regulatory scheme that would not require any entity or individual to refrain from certain types of speech.

FARA continues to be very relevant. For example, news articles have reported activities in which Al Jazeera Media Network (Al Jazeera) is engaged that raise legitimate questions about whether it should register as a foreign agent. Al Jazeera is a global organization spanning dozens of countries, including the United States, and reaches hundreds of millions of people worldwide. In 2016, its off-shoot, Al Jazeera America, closed. However, Al Jazeera expanded its digital presence via Al Jazeera Plus (AJ+), its online news channel which is headquartered in the United States. As of May 2019, AJ+ had 11.1 million cumulative followers and subscribers on Facebook.² In that same month, AJ+ was the fortieth ranked "overall creator" of content cross-platform.³ By comparison, in May 2019 the Washington Post had 6.3 million cumulative followers and subscribers on Facebook and was the one-hundredth ranked "overall creator" of

¹ The FARA requires individuals to register with the Department of Justice (DOJ) if they act, even through an intermediary, "as an agent, representative, employee, or servant" or "in any other capacity" at the behest of a foreign principal, including a foreign political party, government, or corporation, for purposes of engagement with a United States official to influence U.S. policy or the public. The registration applies to anyone who attempts to influence a U.S. government official on behalf of a foreign principal in an effort to "formulat[e], adopt[,], or chang[e] the domestic or foreign policies of the United States." Likewise, an individual whose activities are subject to registration under FARA and who sends informational material "for or in the interest of [a] foreign principal" with the intent or belief that such material will be circulated among at least two persons must transmit the material to the Attorney General no later than 48 hours after actual transmission. Notably, an ongoing failure to register with the DOJ is a continuing offense. 22 U.S.C. § 611 – Definitions: The term "foreign principal" includes - (1) a government of a foreign country and a foreign political party; (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and (3) 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.

² Tubular Labs, AJ+, <https://tubularlabs.com/creator/Iwh57miuVY/AJ+> (last visited June 14, 2019).

³ *Id.*

content cross-platform.⁴ Clearly, Al Jazeera has established and is building a significant reach within the United States.⁵

Al Jazeera was founded by Qatari charter in 1996.⁶ It is a state-owned enterprise, and the Qatari government has provided the majority of its funding.⁷ Al Jazeera's videos on YouTube are stamped with the disclaimer, "Al Jazeera is funded in whole or in part by the Qatari government." Thus, Al Jazeera is not only a foreign principal but it is also owned by a foreign principal – the government of Qatar. Several members of the ruling family of Qatar have held senior positions at Al Jazeera: Sheikh Hamad bin Thamer Al-Thani, a member of the ruling family of Qatar, is the Chairman of Al Jazeera;⁸ Sheikh Abdulrahman bin Hamad bin Jassim bin Hamad Al-Thani is the CEO of Qatar Media Corporation and a Board Member of Al Jazeera;⁹ Sheikh Ahmed bin Jassim Al-Thani served as the Director General of Al Jazeera from 2011 until June 2013.¹⁰ Given that members of the ruling family are in charge of managing the media network, it is more likely than not that the government can and will assert editorial control over media content.

There is evidence that this is the case. The network frequently features content promoting the apparent policy priorities of its owner. For example, the Qatari government reportedly supports the Muslim Brotherhood, and Al Jazeera has reportedly featured that organization in a moderate light and described it as one that can "foster regional stability."¹¹ In addition, Qatar has not only allowed U.S. State Department-designated terrorist organizations such as Hamas to operate within the country but also has regularly hosted Hamas supporters and its leaders on Al Jazeera.¹² News articles have reported that Al Jazeera "conducted a months-long spy operation on a slew of American pro-Israel officials" for a documentary on alleged Jewish influence on the U.S. Government.¹³ Multiple videos on AJ+ appear to support anti-Israeli and anti-American positions. Qatar's officials have said that government-controlled media is a form of "soft power."¹⁴ As such, one can reasonably infer that Al Jazeera is a messaging tool for the Qatari government, and, on its behalf, has engaged in inherently political activities and sought to influence public opinion in the United States.

Mohamed Fahmy, a former Al Jazeera English Egypt bureau chief who was jailed due to his affiliation with the network and ultimately pardoned by Egyptian authorities, has spoken out

⁴ Tubular Labs, *Washington Post*, <https://tubularlabs.com/creator/pJrnOWDIB4/Washington-Post> (last visited June 14, 2019).

⁵ According to an estimate by Amazon, during a 30 day period in May and June 2019, [aljazeera.com](https://www.alex.com/siteinfo/aljazeera.com) had over 2.5 million unique visitors, 33.4% of whom were from the United States. Available at <https://www.alex.com/siteinfo/aljazeera.com> (last visited June 18, 2019). See also, Nick Vivarelli, "New Al Jazeera Digital Division Chief on How Facebook, Google, Control News (Exclusive)" *Variety* (July 1, 2016), available at <https://variety.com/2016/digital/global/new-al-jazeera-digital-division-chief-on-how-facebook-google-control-news-exclusive-1201806421/> (last accessed June 18, 2019).

⁶ Christopher M. Blanchard, *Qatar: Background and U.S. Relations*, CRS at 19 (June 6, 2012).

⁷ *Id.*

⁸ Al Jazeera Media Network, *Sheikh Hamad bin Thamer Al Thani: Chairman of Board of Directors*, <https://network.aljazeera.com/about-us/management-profiles/sheikh-hamad-bin-thamer-al-thani>.

⁹ Doha Film Institute, *Doha Film Institute Announces Board of Trustees* (Nov. 29, 2016), <http://www.dohafilminstitute.com/press/doha-film-institute-announces-board-of-trustees>.

¹⁰ *The Business Year, Optimal & Prime* (2015), <https://www.thebusinessyear.com/qatar-2015/optimal-prime/interview>.

¹¹ Kenneth Katzman, *Qatar: Governance, Security, and U.S. Policy*, CRS at 11 (March 1, 2018).

¹² *Id.* at 16.

¹³ Adam Kredo, *Qatar-Backed Spy Operation on U.S. Jews Put Al Jazeera in Congressional Crosshairs*, *Washington Free Beacon* (February 13, 2018).

¹⁴ Ministry of Foreign Affairs, *Al Diplomacy*, Issue 37 at 37 (December 2017), available at <https://en.calameo.com/read/0051217641e12ed91c1e0>.

about the close relationship between Al Jazeera and the Qatari regime. According to Fahmy, “The more the network coordinated and takes directions from the [Qatar] government, the more it becomes a mouthpiece for Qatari intelligence.”¹⁵ Regarding Al Jazeera English, Fahmy has noted that contrary to his expectations before he was hired, the network “coordinated and took directives from Qatar’s government. This reflected on even us the English reporters and we had some of the best...”¹⁶

When the available evidence is taken as a whole, it appears that Al Jazeera’s broadcasts, including AJ+, mirror the policies and preferences of the Qatari government, which, together with the state funding and other indicia of agency, demonstrate that Al Jazeera and its media subsidiaries act as alter egos of the Qatari government in ensuring dissemination of the government’s viewpoints.

In addition to Al Jazeera seemingly operating as an agent of the Qatari government, its potential obligation to register under FARA may be triggered by two other provisions in the statute. First, because it produces and distributes content and secures access within the United States, it has arguably “engage[d] directly or indirectly in the ... dissemination of ... broadcasts,” and therefore may have served as a “publicity agent.”¹⁷ Second, because its programming concerned “conditions” of a foreign government or “foreign country,” including but not limited to Qatar, Al Jazeera may have served as an “information-service employee” by “furnishing, disseminating, or publishing” its programs.¹⁸

Similarly, on November 13, 2017, DOJ’s National Security Division announced that it required T&R Productions, LLC to register under FARA as an agent for ANO TV-Novosti, the “Russian government entity responsible for the worldwide broadcasts of the RT Network” and on December 11, 2017, RTTV America registered as well.¹⁹ Reportedly, DOJ has required the same of Xinhua News Agency and China Global Television Network.²⁰ In a press release regarding RT, DOJ said the following:

Americans have a right to know who is acting in the United States to influence the U.S. government or public on behalf of foreign principals. The Department of Justice is committed to enforcing FARA and expects compliance with the law by all entities engaged in specified activities on behalf of any foreign principal, regardless of its nationality.²¹

Further, that same press release said:

¹⁵ Frantzman, Seth J. “A Weapon against Its Neighbors’: Former Al Jazeera Bureau Chief Speaks out against Network.” The Jerusalem Post (Aug. 24, 2017), <http://www.jpost.com/Middle-East/A-weapon-against-its-neighbors-former-Al-Jazeera-bureau-chief-speaks-out-against-network-503206>.

¹⁶ *Id.*

¹⁷ 22 U.S.C. § 611(h).

¹⁸ 22 U.S.C. § 611(i).

¹⁹ Department of Justice Press Release, *Production Company Registers Under the Foreign Agent Registration Act as Agent for the Russian Government Entity Responsible for Broadcasting RT* (November 13, 2017).

²⁰ Kate O’Keeffe and Aruna Viswanatha, *Justice Department Has Ordered Key Chinese State Media Firms to Register as Foreign Agents*, Wall Street Journal (Sept. 18, 2018).

²¹ Department of Justice Press Release, *Production Company Registers Under the Foreign Agent Registration Act as Agent for the Russian Government Entity Responsible for Broadcasting RT* (November 13, 2017).

Congress passed FARA in 1938, intending to ensure that the American public and our lawmakers know the source of information that is provided at the behest of a foreign principal, where that information may be intended to influence U.S. public opinion, policy and laws.²²

Those statements apply equally to Al Jazeera, which is controlled by a foreign government, receives financial support therefrom, and engages in activity to influence the U.S. Government and public on behalf of foreign principals.

In sum, Al Jazeera, to include AJ+, may be obligated to register under FARA because: (1) through its production and distribution of programming in the United States it seeks to “influence...any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States, or with reference to the political or public interests, policies, or relations” of Qatar, for or in the interests of Qatar, and is therefore most likely engaged in “political activities”;²³ and (2) it has acted as an agent for the Qatari government and Al Jazeera Media Network in producing and distributing the content constituting those political activities.²⁴

The American public deserves to know when foreign entities are operating in and attempting to influence U.S. public policy and public opinion. DOJ must explain to Congress and the American people why Al Jazeera and its employees have not been required to register.

Accordingly, please answer the following no later than July 2, 2019:

1. What actions has the DOJ taken to assess whether Al Jazeera or its employees should register under FARA for work on behalf of the Qatari government?
2. Has the DOJ sent a letter of inquiry or letter of determination to Al Jazeera, any of its affiliated entities, or any of its employees? If so, please provide a copy. If not, why not?
3. Under 28 C.F.R. § 5.2, any present or prospective agent of a foreign entity may request an advisory opinion from the Justice Department regarding the need to register. Has Al Jazeera or any of its entities or employees ever requested an opinion in relation to work done on behalf of Qatar? If so, please provide a copy of the request and opinion.
4. Please explain why the DOJ has not required Al Jazeera or its employees to register under FARA.
5. Please provide all prosecutorial memoranda, correspondence between DOJ and Al Jazeera, and all reports and summaries of interviews relating to Al Jazeera and its obligations to register under FARA.

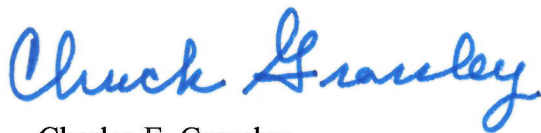
²² *Id.*

²³ 22 U.S.C. § 611(o)

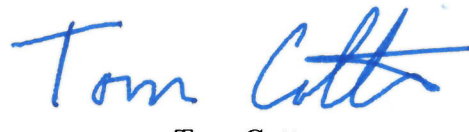
²⁴ Notably, although FARA does provide an exception for “bona fide news or journalistic activities,” 22 U.S.C. § 611(d), that statutory exemption does not apply to Al Jazeera because the media exemption only applies if a media outlet is not “owned, directed, supervised, controlled, subsidized, financed, and none of its policies are determined by any foreign principal.”

Please send all unclassified material directly to the signers of this letter. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the signers, and provide a classified addendum to the Office of Senate Security and Office of House Security. The signers comply with all laws and regulations governing the handling of classified information. The signers are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

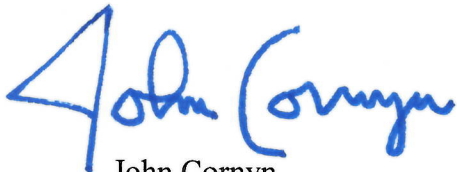
Sincerely,



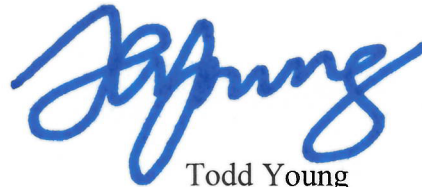
Charles E. Grassley
Chairman
Senate Finance Committee



Tom Cotton
U.S. Senator



John Cornyn
U.S. Senator



Todd Young
U.S. Senator



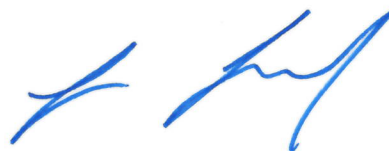
Marco Rubio
U.S. Senator



Ted Cruz
U.S. Senator



Mike Johnson
U.S. Representative



Lee Zeldin
U.S. Representative

EXHIBIT D

Summer Institute

The Duke Islamic Studies Center, Duke University Middle East Studies Center, and Qatar Foundation International present a summer institute for 6-12 educators:

Dimensions of the Middle East

A Summer Institute for Educators

Sunday, June 23 - Friday, June 28, 2019 | Duke University



40 teachers from across the country will join us this summer for a five-day institute designed to introduce teachers to different dimensions of the Middle East. From social movements to geopolitics to cultures and more, teachers will deepen their understanding of both the historic and modern Middle East. Participants will learn from scholars and community experts, engage with readings, and participate in experiential learning activities. Throughout the institute, participants will reflect on integrating content learned into the classroom.

Institute Curriculum

This five-day summer institute will provide intensive training for teachers of grades 6-12 in Middle East studies. Topics covered will be applicable to secondary school curriculum such as migration, region demographics, politics and cultures, and connections to current events will be made throughout the program. To deepen the week-long experience, teachers will be provided with readings in advance of the institute as well as an online forum to reflect and respond to the texts.

Sessions will make connections between content and pedagogy; participating teachers will gain resources and teaching strategies to engage students in learning about and developing new perspectives of the region. *For a sample schedule, please click below to download the 2018 summer institute program:*

 [2018 Summer Institute Program](#)

(Please note that future institute schedules will be unique, possibly changing in format and content.)

All participating teachers will be required to develop a lesson plan or activity integrating workshop content. The final day of the institute will feature a half-day workshop reserved for curriculum design. Teachers will submit their final lesson plan within two months following the institute.

Professional Development Credit

Each participant will be awarded a professional development certificate at the end of the institute. Given that each state has different rules regarding obtaining

professional development credit, the amount of credit an educator receives for participating in the program may vary.

Housing, Meals, and Travel

All travel-related logistics and expenses will be arranged and covered for selected participants including travel, lodging, and meals. Any expenses associated with materials required for the program will also be covered. Teachers will be housed in a hotel in downtown Durham, and will be transported to and from Duke University and other institute activities. Flight expenses or mileage reimbursements will be available to all selected participants.

Eligibility and Conditions

- This institute is open to currently practicing educators teaching grades 6–12 in the United States.
- Applicants must continue teaching in the next consecutive school year.
- Given the themes of this institute, this program is open to teachers in the social sciences, humanities and arts fields.
- Selected participants will be required to develop and submit a lesson plan or activity within two months of the institute's completion.

How to Apply

Application Deadline EXTENDED to Sunday, March 31 at 11:59 pm EST or until 125 applications have been received.

To apply, you must register for an account on Qatar Foundation International's Grants Management Portal, FluidReview, at qfi.fluidreview.com. Visit qfi.org/opportunities/qfi-duke-summer-institute/ for more information.

Contact

For more information about the program, please contact Emma Harver at harver@email.unc.edu or [919-962-6732](tel:919-962-6732).

For questions about the QFI application portal, please contact Craig Cangemi at ccangemi@qfi.org or [202-618-3862](tel:202-618-3862).

To learn more about the experience of teachers who have participated past summer institutes run by Duke University and QFI, please visit the following links: [“The Middle East and Islam: New perspectives of Islamic History from the 16th century to the present” \(2017\)](#); [“Dimensions of the Middle East: Foundations, Cultures, and Geopolitics” \(2018\)](#).

For a PDF download of the application announcement, please click below:

 [2019 Summer Institute Flyer_Dimensions of the Middle East.pdf](#)



Projects

[CFP: Academic Networking in Sub-Saharan and North Africa](#)

[Muslim Lives](#)

[Summer Institute](#)

[Teacher Seminar: Turkey: From the Ottoman Empire to Contemporary History and Politics](#)



Experiential Learning

DISC encourages Duke students to combine academic study and scholarship with international, cross-cultural experiences. Find relevant study away and civic engagement programs.



Documenting Muslim Lives

DISC has launched the Muslim Lives project to create a visual and audio record of the successes and challenges faced by American Muslims.



Advisory Board

The Advisory Board of the Duke Islamic Studies Center is an international board comprised of Muslims and non-Muslims. The Board includes members of the public and private sectors as well as scholars. The Board provides strategic advice on program initiatives to the DISC Director and staff,...

Center

Contact

Duke Islamic Studies  Visit our Facebook page

Center

Duke University

Franklin Center

2204 Erwin Road

Durham, NC 27708

Phone: (919) 668-1955

 Follow us on Twitter

Duke University

Durham, NC 27708

(919) 684-8111

EXHIBIT E



MIDDLE EAST STUDIES
Center



ISLAMIC STUDIES
Center



QATAR
FOUNDATION
INTERNATIONAL, LLC
عضو في مؤسسة قطر
Member of Qatar Foundation

The Duke Islamic Studies Center, Duke University Middle East Studies Center,
and Qatar Foundation International present:

Dimensions of the Middle East: Foundations, Cultures, and Geopolitics

A Summer Institute for Educators

June 24–29, 2018 | Duke University

Join us for a five-day workshop this summer designed to introduce teachers to different dimensions of the Middle East. From social movements to geopolitics to cultures and more, teachers will deepen their understanding of both the historic and modern Middle East. Participants will learn from scholars and community experts, engage with authentic texts, and participate in experiential learning activities. Throughout the institute, teachers will think about how to bring these themes into their classrooms and will work in groups or individually to develop curriculum or materials for classroom use.

Seminar Curriculum

During the summer institute, participants will explore various facets of the Middle East to enhance historical, political, and cultural knowledge of the region. Each day will be spent exploring a new theme including: the foundations of Islam and the modern Middle East; social movements and nationalism; cultures, identity, and belonging; as well as contemporary issues and geopolitics. Connections to current events in the region will be made throughout the program to provide engaging and relevant content.

Sessions with K-12 education specialists will be integrated during the program to help teachers link content learned with pedagogical practice. Educators will gain resources and teaching strategies to engage students in learning about and developing new perspectives of the region.

Working in small groups, participants will begin to develop a thematic lesson plan or activity integrating workshop content. Time will be allocated at the end of the program for research and drafting of the lesson or classroom activity. Participants will continue to work on their resource after the workshop has completed, and will submit the final draft of their curricular resource within a month following the institute.

Professional Development Credit

Each participant will be awarded a professional development certificate at the end of the institute. Given that each state has different rules regarding obtaining professional development credit, the amount of credit an educator receives for participating in the program may vary.

Housing, Meals, and Travel

All travel-related logistics and expenses will be arranged and covered for selected participants including travel, lodging, and meals. Any expenses associated with materials required for the program will also be covered. Teachers will be housed in a hotel in downtown Durham, and will be transported to and from Duke University and other institute activities. Flight expenses or mileage reimbursements will be available to all selected participants.

Eligibility and Conditions

- This institute is open to currently practicing educators teaching in grades 6-12 in the United States.
- Applicants must continue teaching in the next consecutive school year.
- Given the themes of this institute, this program is open to teachers in the social sciences/humanities and arts fields.
- Selected participants will be required to develop and submit a lesson plan or activity within one month of the institute's completion

How to Apply

Application Deadline: Monday, March 25, 2018 at 5:00pm EST

- To apply, you must register for an account on Qatar Foundation International's Grants Management Portal, FluidReview, at qfi.fluidreview.com.

Contact

For more info about the program: Visit islamicstudies.duke.edu/summer-institute or contact Emma Harver at harver@email.unc.edu or 919-962-6732.

To apply: Visit qfi.fluidreview.com or contact Craig Cangemi at ccangemi@qfi.org or 202-618-3862.

To learn more about the experience of teachers who participated in the 2017 summer institute, please visit jhfc.duke.edu/duke-hosts-middle-east-and-islam-summer-institute/.

EXHIBIT F



MIDDLE EAST STUDIES
Center



ISLAMIC STUDIES
Center



QATAR
FOUNDATION
INTERNATIONAL, LLC
عضو في مؤسسة قطر
Member of Qatar Foundation

The Duke Islamic Studies Center, Duke University Middle East Studies Center,
and Qatar Foundation International present:

Dimensions of the Middle East A Summer Institute for Educators

June 23-28, 2019

Duke University, Durham, North Carolina

Join us for a five-day institute this summer designed to introduce teachers to different dimensions of the Middle East. From social movements to geopolitics to cultures and more, teachers will deepen their understanding of both the historic and modern Middle East. Participants will learn from scholars and community experts, engage with readings, and participate in experiential learning activities. Throughout the institute, participants will reflect on integrating content learned into the classroom.

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- Given the themes of this institute, this program is open to teachers in the social sciences, humanities and arts fields.
- Selected participants will be required to develop and submit a lesson plan or activity within two months of the institute's completion.

How to Apply

Application Deadline: Sunday, March 24 at 11:59 pm EST or until 125 applications have been received.

- To apply, you must register for an account on Qatar Foundation International's Grants Management Portal, FluidReview, at qfi.fluidreview.com.

Contact

For more information about the program, visit islamicstudies.duke.edu/summer-institute or contact Emma Harver at harver@email.unc.edu or 919–962–6732.

For questions about the QFI application portal, contact Craig Cangemi at ccangemi@qfi.org or 202–618–3862.

EXHIBIT G

**Resolution Agreement
Duke University
OCR Complaint No. 11-19-2214**

Duke University submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR) to resolve complaint no. 11-19-2214, in which the complainant alleged that the University discriminated against students on the basis of national origin (shared ancestry, Jewish). The University has policies and procedures in place to address harassment and discrimination, and, as illustrated in its response to the underlying complaint, responds to such incidents consistent with the nondiscrimination laws and principles of free speech and expression. The University is entering into this Resolution Agreement to affirm and bolster that commitment. Nothing in the Resolution Agreement shall be considered, construed, or used as an admission of liability by the University, nor shall it be deemed a concession that the allegations in the underlying complaint implicate Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000e, *et seq.*, and its implementing regulation, 34 C.F.R. Part 100. By entering into this Resolution Agreement, the University does not admit any violation of Title VI with regard to the allegations in the complaint or investigation.

I. Anti-Harassment Statement

By January 30, 2020, the President of the University or designee will issue a statement to all University students, faculty, and staff stating that the University does not tolerate acts of discrimination or harassment, including but not limited to on the basis of race or national origin. The statement will specifically say that the University does not tolerate anti-Semitic harassment or discrimination; the statement may provide other examples of types of discrimination and harassment prohibited under its policies. The statement will encourage any student who believes he or she has been subjected to such harassment to report it to the University.

II. Revision of *Policy on Prohibited Discrimination, Harassment and Related Misconduct*

The University has in place the *Policy on Prohibited Discrimination, Harassment, and Related Misconduct (Policy)*. The University will continue to ensure that the *Policy* addresses and responds to incidents of harassment on the basis of race or

national origin. Under the *Policy*, it will continue to respond to incidents of anti-Semitic harassment or discrimination. To affirm this commitment, the University will take the following actions:

- a. The *Policy* must provide a description of the forms of anti-Semitism that can manifest in the University environment, and may provide a description of other forms of national origin or religious discrimination that can manifest in the University environment.
- b. The University will ensure that all actions undertaken pursuant to this Agreement are consistent with principles of free speech and expression protected by the First Amendment of the U.S. Constitution.

REPORTING REQUIREMENT

By January 30, 2020, the University will submit to OCR for review and approval a copy of the *Policy*, revised in accordance with item II.a above.

Within 15 days of receipt of notice of OCR's approval of the revised *Policy*, the University will adopt, implement and publish the revised *Policy*. The University will publish the revised *Policy* through its website, as well as by any other means the University deems effective to ensure that the information is widely disseminated.

III. Meetings

During each of the 2019-2020 and 2020-2021 academic years, the University shall host a meeting in order to provide students, faculty, and staff the opportunity to discuss with select University administrators any concerns they have about incidents of harassment or discrimination prohibited under the *Policy*, including but not limited to anti-Semitic harassment prohibited by the *Policy*, that have occurred within the educational programs and activities of the University. If complaints about specific incidents of such harassment are identified during the meetings, the University will take appropriate steps to address the complaints and respond to the incidents.

IV. Training

For the 2019-20 and 2020-21 academic years, each new training module and/or orientation session that the University offers to or requires of students, faculty, and staff concerning the *Policy* and its implementation shall include a component on

race or national origin discrimination, shared or perceived ancestry, including but not limited to anti-Semitic harassment.

* * *

The University understands that by signing this Agreement, it agrees to provide the aforementioned information in a timely manner, in accordance with the reporting requirements of this Agreement. Further, the University understands that during the monitoring of this agreement, if necessary, OCR may visit the University, interview students, faculty, and/or staff, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of this Agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement becomes effective immediately upon its execution by the University's representative. Upon completion of the University's obligations under this Agreement, OCR shall close this case.

Dated:

12/3/19

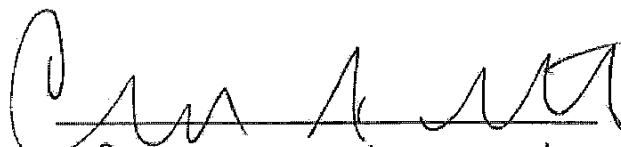

Deputy General Counsel

EXHIBIT H

Resolution Agreement
The University of North Carolina at Chapel Hill
OCR Complaint No. 11-19-2215

Without admitting to any violation of law, The University of North Carolina at Chapel Hill (the University) agrees to implement this Resolution Agreement (Agreement) to resolve complaint no. 11-19-2215, in which the complainant alleged that the University discriminated against students of Jewish descent. The University enters into this Agreement to continue to ensure its compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000e, *et seq.*, and its implementing regulation, 34 C.F.R. Part 100. By entering into this Resolution Agreement, the University does not admit any violation of Title VI with regard to the allegations in the complaint or investigation, and the U.S. Department of Education, Office for Civil Rights (OCR), makes no finding of a violation of Title VI with regard to the allegation in the complaint or investigation. Nothing contained in this Resolution Agreement shall be considered, construed, or used as an admission of liability by the University or as a finding of a violation of Title VI by OCR.

The University agrees to continue to take all steps reasonably designed to ensure that students enrolled in the University are not subjected to a hostile environment and to respond to allegations of anti-Semitic harassment. To this end, the University will continue to promptly investigate all incidents of anti-Semitic harassment involving students that are reported to the University and will continue to take appropriate action to respond to such complaints, which may include disciplinary action against students and/or staff.

I. Anti-Harassment Statement

By December 31, 2019, the Chancellor of the University will issue a statement to all University students, faculty, and staff stating that the University does not tolerate acts of prohibited harassment, including but not limited to anti-Semitic harassment, by University students, faculty, staff, and/or third parties. The statement will encourage any student who believes he or she has been subjected to such harassment to report it to the University.

II. Revision of *Policy on Prohibited Discrimination, Harassment and Related Misconduct*

The University has in place the *Policy on Prohibited Discrimination, Harassment, and Related Misconduct (Policy)*. The University will continue to ensure that it addresses and responds to incidents of prohibited harassment, including but not limited to anti-Semitic harassment. Accordingly, the University will take the following actions:

- a. The University will reiterate its commitment to having an environment free from prohibited harassment, including but not limited to anti-Semitic harassment, and will explain that the University prohibits such harassment in the University environment, including all academic, extracurricular, and University-sponsored programs and activities. The statement will encourage students, faculty, and staff to immediately report incidents of such harassment and will reaffirm the University's commitment to investigate reports of such harassment.
- b. The University will include in the *Policy* a statement that the harassment of students on the basis of their actual or perceived shared ancestry or ethnic characteristics, including but not limited to anti-Semitic harassment, may constitute discrimination on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964. The *Policy* may provide a clear definition of anti-Semitism and must provide a description of the forms of anti-Semitism that can manifest in the University environment.
- c. The University will ensure that all actions undertaken pursuant to this Agreement are consistent with the First Amendment of the U.S Constitution.

REPORTING REQUIREMENT

By October 31, 2019, the University will submit to OCR for review and approval a copy of the *Policy*, revised in accordance with item II.a-c above.

Within 15 days of receipt of notice of OCR's approval of the revised *Policy*, the University will adopt, implement and publish the revised *Policy*. The University will publish the revised *Policy* through its website, as well as by any other means

the University deems effective to ensure that the information is widely disseminated.

III. Meetings

During each of the 2019-2020 and 2020-2021 academic years, the University shall host at least one meeting in order to provide students, faculty, and staff the opportunity to discuss with University administrators any concerns they have about incidents of prohibited harassment, including but not limited to anti-Semitic harassment, that have occurred within the University community. If complaints about specific incidents of such harassment are identified during the meetings, the University will take appropriate steps to address the complaints and respond to the incidents.

IV. Training

Each training and/or orientation session that the University offers to or requires of students, faculty, and staff concerning the *Policy* and its implementation shall include a component on prohibited harassment, including but not limited to anti-Semitic harassment. The University will request the vendor that provides the University's on-line training module to modify the training module to include a section on anti-Semitic harassment.

REPORTING REQUIREMENT

By June 1, 2020 the University will provide the modified training module to OCR for review and approval. The University will provide a statement to OCR confirming that the training module in section IV contains a segment on anti-Semitic harassment and that the training will continue to include this segment on anti-Semitic harassment through at least the 2022-23 academic year.

The University understands that by signing this Agreement, it agrees to provide the aforementioned information in a timely manner, in accordance with the reporting requirements of this Agreement. Further, the University understands that during the monitoring of this agreement, if necessary, OCR may visit the University, interview students, faculty, and/or staff, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of this Agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100. Upon completion of the obligations under this Agreement, OCR will close this case.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement becomes effective immediately upon its execution by the University's representative.

Dated:

10/14/19



Nathan Knuffman for
Jonathan Pruitt, Vice Chancellor for
Finance and Operations

EXHIBIT I

Qatar

Gain a Middle Eastern perspective while earning an American degree.

Medill's onsite presence in the Middle East has been in place since 2008 as part of Northwestern University in Qatar (<http://www.qatar.northwestern.edu/index.html>) (known as "NU-Q").

NU-Q's space, which is located in Doha's Education City (an area that houses facilities from leading universities), offers 515,000 square feet of space dedicated to Northwestern's use. This new, permanent space opened in 2017 and is three times as large as Northwestern's previous location in Qatar. The facility is impressive and modern, crafted to encourage interactions between students and faculty as well as serve as a place to present and share information easily and informally.



(../../../../images/about-us/our-locations/1023x682-body/Qatar1023x682.jpg)

Medill students look at a photo on a camera during a visit to Souq Waqif, a traditional market in Doha.

In Qatar, you can earn a full undergraduate journalism degree. Or, as a Medill student, you can choose to spend one of your semesters in Qatar (<http://www.qatar.northwestern.edu/education/semester-qatar/>) or Journalism Residency in Qatar (<http://www.ipd.northwestern.edu/study-abroad/explore/middle-east/journalism-residency-qatar.html>). Either way, you

will be exposed to the unique landscape of journalism, media and communications in the Middle East and will be armed with skills to help you break into that market.

Here, you can pursue:

A full undergraduate journalism degree

(<http://www.qatar.northwestern.edu/education/academic->

- [programs/journalism/index.html](http://www.qatar.northwestern.edu/education/academic-programs/journalism/index.html))

Or, as a Medill undergraduate journalism student, you can participate in:

A semester in Qatar (<http://www.qatar.northwestern.edu/education/semester->

- [qatar/](http://www.qatar.northwestern.edu/education/semester-qatar/))

Journalism Residency in Qatar (<http://www.ipd.northwestern.edu/study->

- [abroad/explore/middle-east/journalism-residency-qatar.html](http://www.ipd.northwestern.edu/study-abroad/explore/middle-east/journalism-residency-qatar.html))

Address

Northwestern University in Qatar

Education City

Suite 3226, Carnegie Mellon Building

Doha, Qatar

EXHIBIT J



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> [NU-Q and Al Jazeera Network sign MoU to facilitate knowledge transfer, increase student engagement, and strengthen collaboration](#)

NU-Q and Al Jazeera Network sign MoU to facilitate knowledge transfer, increase student engagement, and strengthen collaboration

MARCH 19, 2013

In a move intended to better understand and develop media in Qatar and the region, Northwestern University in Qatar and Al Jazeera Network signed a Memorandum of Understanding that will further facilitate collaboration and knowledge transfer between two of Qatar's foremost media organizations.

The agreement, which deepens ties between the two organizations that have worked together since NU-Q's inception, will allow professionals and budding journalists from both sides to benefit from the combined expertise of the two institutions through joint research and strategic studies projects, training workshops, a co-designed lecture series, internships and faculty contributions as well as journalist-exchange programs.

In addition, NU-Q will conduct consultations with Al Jazeera leadership based on its faculty research interests and expertise in the American media industry, as the news network moves forward with its planning for Al Jazeera America.

The memorandum was signed by H.E. Sheikh Ahmed bin Jassim bin Mohamed Al-Thani, Director General of Al Jazeera Network, and Everett Dennis, Dean and CEO of Northwestern University in Qatar.

“Al Jazeera Network places the development of its team’s skills at the top of its priorities, to stay par with the great media-related feats Qatar has accomplished regionally and internationally,” said Sheikh Ahmed bin Jassim Al-Thani, Director General of Al Jazeera Network. “The Network consistently strives to exchange experiences with research and educational institutions in line with Al Jazeera’s mission.”

Sheikh Ahmed also expressed Al Jazeera’s willingness to support NU-Q students with scholarships and training opportunities, and by encouraging them to participate in Al Jazeera’s community service initiatives.

As one of the most important media organizations in Qatar and the region, Al Jazeera Network “has one of the world’s largest cadre of news professionals,” said Dennis. “That makes Al Jazeera a place of great interest for anyone who strives to understand the world’s media ecosystem, and for Northwestern students and alumni who will go on to work in the media industry.

Dean Dennis added that the collaboration with Al Jazeera would allow students to enhance their education not only in traditional broadcast but in public relations, new media, and documentary filmmaking. “This is a chance to further recognize and take advantage of the many areas of mutual interest between Al Jazeera and NU-Qs, to the benefit of our students, faculty, and the public that is served by having Al Jazeera provide an exemplary world report,” he explained.

The MoU with Al Jazeera is one of several collaborations that NU-Q has recently undertaken as part of its active role in the development of a thriving media industry. In October 2012, the university joined hands with Doha Film Institute in the lead up to the Doha Tribeca Film Festival to shine a spotlight on local film-making talent.

NU-Q regularly engages in research, thought leadership, and service relevant to the Qatari and Middle Eastern media communities.



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EXHIBIT K

For Journalists

Search
for

University statement on Justin Martin tweet

- Created: September 12, 2019
- [Published Version \(/stories/2019/09/911-tweet/\)](#)

Media Contacts

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We have become aware that Justin Martin, associate professor in residence at Northwestern's campus in Doha, Qatar, has tweeted the following:

"Happy 9/11 more than 8,441 civilians died in Yemen this year helped by US arms dealt to Saudi Arabia & UAE. The US is complicit in far more terror than it has ever suffered"

As his Twitter profile states, his views are his own.

Northwestern University finds it disgraceful that he makes light of the horrors of 9/11. This is insensitive and deeply disappointing, particularly on the anniversary of the terror attacks.

Morton Schapiro

President and Professor

Jonathan Holloway

Provost and Professor

[Back to Top \(/https://news.northwestern.edu/stories/2019/09/911-tweet/&fj=1#top-bar\)](https://news.northwestern.edu/stories/2019/09/911-tweet/&fj=1#top-bar)

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