



ADVANCING AMERICAN FREEDOM

October 23, 2023

VIA E-MAIL AND U.S. MAIL

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Ave NW
Washington, DC 20394

**Re: Freedom of Information Act Request:
DHS Employee and PLO Spokeswoman Nejwa Ali**

Dear Mr. Secretary:

Advancing American Freedom (AAF)¹ submits this Freedom of Information Act (“FOIA”) request (the “Request”), pursuant to 5 U.S.C. § 552(a), for records pertaining to the U.S. Department of Homeland Security (“Homeland Security”)’ Employee Nejwa Ali’s fitness to serve as a Homeland Security employee entrusted to review alien applications for asylum status. Her previous employment was spokesman for the Palestine Liberation Organization (“PLO.”)² According to a 1993 report by the British National Criminal Intelligence Service, the PLO was “the richest of all terrorist organizations,” with \$8–\$10 billion in assets and an annual income of \$1.5–\$2 billion from “donations, extortion, payoffs, illegal arms dealing, drug trafficking, money laundering, fraud, etc.”³

On October 18, 2023, Ali was placed on leave after praising Hamas and sharing extremist content on social media – including one post where she wrote, “F*** Israel... we are ready for your downfall.”⁴

¹ Advancing American Freedom, Inc. is a 501(c)(4) non-profit organization. AAF advocates for conservative values and policies by developing innovative policy solutions, strategies, coalitions, and messaging that builds upon the accomplishments of the last administration and expands freedom for all Americans.

² <https://www.dailywire.com/news/the-u-s-govt-hired-a-pro-hamas-plo-spokeswoman-to-handle-asylum-claims>

³ Daniel Baracskey, *The Palestine Liberation Organization: Terrorism and Prospects for Peace in the Holy Land*, 2011, page 83, Praeger Security International, ISBN 978-0-313-38151-5.

⁴ <https://www.dailymail.co.uk/news/article-12647395/DHS-Nejwa-Ali-citizenship-leave-praising-hamas-israel-war.html>.

Requested Records

Pursuant to 5 U.S.C. § 552, AAF seeks the release of the following records with the timeframe for the Request from January 1, 2019 through October 23, 2023:

1. Any and all records relating to or concerning communications to or from any organization, association, corporation, or other entity, or to or from any person not employed by the federal government, regarding Ali's contacts with the PLO, including but not limited to any outreach, public education, listening session, or communications, including those communications where Homeland Security is copied or blind copied.
2. A copy of Ali's resume she submitted through USA Jobs or other job application process at Homeland Security.
3. Please provide records of the three people who served on the panel who selected her to be hired by Homeland Security, including names, titles, GS level, and to whom they report, and the organizational charts on which they appear during the time of Ali's selection.
4. Please provide a position description and an organizational chart for each job Ali held in Homeland Security.
5. In Ali's selection, how did Homeland Security follow the law regarding Veteran's Preference, a statutory requirement? If the Office of Personnel Management approved a waiver of Veteran's Preference, who approved it? Please provide name, title, GS level, and where his or her name appears in an OPM organization chart during the relevant time period.
6. If more than one applicant made the referral list, commonly known as the "cert list," please provide the resumes of those candidates.
7. Based on the position description, please provide the clearance level for this position and the clearance level Ali was awarded.
8. Please provide the date that Homeland Security human resources submitted her information for Suitability Determination and the date of response for Ali's Suitability Determination.
9. Please provide Ali's enter on date ("EOD), salary history, GS grade and step, supervisor name, and supervisor grade and salary.
10. How was Ali's salary determined? Please provide documentation that Homeland Security officials use to set her salary (W-2, pay stubs, or other documentation from the PLO and other employers).
11. During Ali's time of approving petitions for asylum in the United States, what are the names of the aliens granted asylum under her recommendation, known address at time of petition, country of origin, and whether those grants have been revoked or are under review.
12. Any other records which, though not specifically requested, would have a reasonable relationship to the subject matter of this request.

Application for Waiver or Limitation of Fees

AAF requests the waiver of any fees associated with responding to its FOIA request, pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 22 C.F.R. § 171.16. AAF requests the waiver of document search, review, and duplication fees on the grounds that “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). Additionally, AAF qualifies as a “representative of the news media” and does not seek the Records for commercial use. *See* 5 U.S.C. § 552(a)(4)(A)(ii)(II).

A. Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

As a nonprofit organization, Advancing American Freedom does not have a commercial purpose and any release of information requested is not primarily in AAF’s financial interest. One of the primary purposes of Advancing American Freedom is to inform and educate the public about the activities of the federal government, and whether those activities may chill Constitutional rights to the freedom of speech, association, and to petition the government for redress. Therefore, any information disclosed to AAF because of this Request will be made readily available to the public at no cost.

B. Advancing American Freedom qualifies as a “representative of the news media” which is not seeking records for commercial use.

Advancing American Freedom qualifies as a “representative of the news media” because it “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” 5 U.S.C. § 552(a)(4)(A)(ii); *see Nat’l Sec. Archive v. DOD*, 880 F.2d 1381, 1387 (D.C. Cir. 1989). AAF regularly collects, publishes, and disseminates information it receives to the general public via its website, social media accounts, and through public appearances by its principal figures. Further, AAF would exercise editorial discretion with respect to all information that it obtains from the Request.

AAF distributes its work widely. It routinely issues press releases that highlight various newsworthy events and amicus legal briefs that it files; its principal figures make regular appearances in the news media and at conferences and other large events. Indeed, obtaining and distributing information about government activity is a key part of AAF’s purpose and work.

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If the Request is denied in whole or in part, AAF requests justifications for all deletions by reference to specific FOIA exemptions. AAF expects the release of all segregable portions of otherwise exempt material. AAF reserves the right to appeal a decision relating to any portion of this request.

Thank you for your prompt attention to this Request. Please provide the requested records to:



Paul Teller, Executive Director
Advancing American Freedom
801 Pennsylvania Avenue, N.W., Suite 930
Washington, D.C. 20004
(202) 780-4848

cc: The Hon. Kay Granger, Chairwoman, House Appropriations Committee
The Hon. Mark Green, Chairman, Homeland Security Committee
The Hon. James Comer, Chairman, House Oversight and Accountability Committee