

The Construct

Unmasking Foreign Influence in American Law and Speech

Chapter 1 – The Moment of Realization

It began with a contract clause. A single sentence buried in vendor agreements that read:

"Contractor certifies that it is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel."

Most people glossed over it. Some didn't even notice. But those who did—and who refused to sign—found themselves disqualified from public jobs, university funding, and government opportunities.

The realization hit slowly, like a series of dominoes. Why was this clause appearing in state contracts? Why Israel, specifically? Why would American citizens need to pledge economic loyalty to a foreign government?

That single question opened a vault.

This book follows the answers.

It follows the laws passed in silence. The lobbying left out of headlines. The rights chipped away not by bullets, but by bureaucracy.

It begins not with conspiracy, but with confirmation. These laws are real. These contracts exist. This foreign pressure is active, well-funded, and embedded in the machinery of our states.

To understand how we got here, we must examine a law that was designed to prevent exactly this from happening—and how its enforcement disappeared.

Chapter 2 – The Foreign Agents Registration Act (FARA)

The Foreign Agents Registration Act (FARA) was passed in 1938 to counteract Nazi propaganda efforts in the United States. Its purpose was simple in theory, radical in impact: any person or entity acting on behalf of a

foreign government in a political or quasi-political capacity had to register with the U.S. Department of Justice.

They had to disclose:

- The identity of their foreign principal
- The nature of their lobbying activities
- Their expenditures and payments

The law didn't criminalize the lobbying itself—it simply required transparency.

For decades, FARA was treated like a dusty ledger. Rarely enforced, occasionally cited, and widely ignored. But one moment in history nearly changed that. In the early 1960s, President John F. Kennedy and his brother, Attorney General Robert F. Kennedy, took a firm stand: they told the American Zionist Council—a prominent Israeli lobbying group—that they must register under FARA.

The AZC was the predecessor of AIPAC. It was being funded by the Jewish Agency for Israel, which itself was a state-sponsored entity. According to declassified documents from the Kennedy administration, the Department of Justice had evidence that the AZC was

receiving substantial funds from the Israeli government through the Jewish Agency for Israel, making it a clear candidate for FARA registration.¹

The Kennedys knew what that meant: the AZC was acting on behalf of a foreign principal.

Letters were exchanged. Deadlines set. The Department of Justice gave notice: register, or face legal consequences.

Then came the resistance. The AZC delayed, reorganized, and eventually reincorporated as AIPAC—sidestepping FARA registration altogether. The DOJ insisted that the restructuring didn't exempt them.

And then, JFK was assassinated.

The FARA enforcement effort against Israel's lobby died with him.

To this day, AIPAC has never registered under FARA. And no comparable enforcement effort has been attempted again.

Chapter 3 – The Cost of Influence

When we speak of foreign influence, people imagine spies or hidden microphones—not a legal line-item tucked inside a state budget bill.

But this is how it happens now.

After the failed FARA enforcement in the 1960s, Israel's most well-funded advocacy groups doubled down on influence through political donations, think tanks, and most effectively—state legislation.

Between 2015 and 2023, over 30 U.S. states passed laws, executive orders, or administrative rules that penalize companies or individuals who boycott Israel. These measures include:

- Prohibiting public contracts with any business that boycotts Israel
- Requiring signed statements as a condition of employment
- Blocking access to public grants, education funds, or pension programs

In some cases, individuals were forced to choose between their livelihood and their constitutional rights. One school speech therapist in Texas refused to sign the pledge. Her contract wasn't renewed. An attorney in Arizona faced the same demand. A newspaper in Arkansas refused and sued.

The political justification was always the same: protecting an ally.

But these weren't acts of diplomacy. They were acts of domestic coercion.

Instead of lobbying Congress alone, foreign-backed groups realized the true power of decentralized control. If 30 states enforce the same foreign loyalty clause, who needs federal law?

It is quiet. It is systematic. And it is legal—because no one has made it illegal.

Chapter 4 – What Does It Mean to Boycott Israel?

The term "boycott Israel" is used in legislation, contracts, and courtrooms—but rarely explained.

In plain terms, it means refusing to do business with Israeli companies, institutions, or products in protest of policies enacted by the Israeli government. Most boycotts are nonviolent, economic expressions of political belief. They mirror historic efforts like:

- The Montgomery Bus Boycott
- Divestment from apartheid South Africa
- Sanctions against regimes violating human rights

In the case of Israel, boycotts might include:

- Refusing to buy goods made in Israeli settlements on occupied land

- Divesting from companies that supply military surveillance tech used on civilians
- Declining to participate in academic or cultural partnerships with Israeli state institutions

These actions are protected political speech under the First Amendment—at least in theory.

But state laws now redefine these acts as disqualifying behavior. They treat boycotts as a form of discrimination. They invert the premise of protest.

By redefining dissent as hostility, they silence lawful opposition.

And in doing so, they export the censorship norms of a foreign government into American public policy.

Chapter 5 – The Contracts That Broke the Constitution

The First Amendment of the United States Constitution guarantees freedom of speech, freedom of association, and the right to petition the government.

But in dozens of states, these rights are now conditional.

Consider:

- A school speech pathologist in Texas refused to sign a clause pledging not to boycott Israel. Her contract wasn't renewed.²
- A freelance lawyer in Arizona was offered a government position—but only if he signed the same clause. He declined.³
- The *Arkansas Times* newspaper refused to sign the clause in exchange for state advertising revenue. They sued.⁴

In each case, the individual or organization was asked to surrender a political belief in exchange for public funding.

This is not just unethical. It's unconstitutional.

Boycotts have long been a core part of American civil resistance. From tea merchants in 1773 to farm workers in the 1960s, the right to economically withhold support is protected expressive conduct. The Supreme Court affirmed this principle in *NAACP v. Claiborne Hardware Co.* (1982), ruling that boycotts to bring about political, economic, and social change are protected by the First Amendment.⁵

And yet, laws passed in the name of foreign protection now deny Americans that right.

When courts are forced to intervene, they often rule in favor of the Constitution. But that doesn't stop the laws from being passed—it just delays their impact.

Meanwhile, silence becomes the safe route. Contracts get signed. Dissenters are weeded out. And unconstitutional clauses are normalized across state lines.

This is not just legal overreach. It is policy laundering—where foreign influence is disguised as domestic law.

Chapter 6 – The Disappearance of FARA After JFK

In 1962, the Department of Justice under Attorney General Robert F. Kennedy issued a direct order: the American Zionist Council (AZC) must register under the Foreign Agents Registration Act.

The AZC was receiving large sums of money from the Jewish Agency for Israel, a state-funded entity based in Jerusalem. Under the law, this financial relationship required registration. It would have forced the AZC to disclose its lobbying expenditures, foreign funding sources, and political influence campaigns.

The AZC's response? Delay, reorganize, and rename.

In early 1963, just weeks after the FARA demand, the AZC was dissolved. In its place emerged a new entity: the American Israel Public Affairs Committee—AIPAC.

The Department of Justice said this didn't change their position. The new entity was still acting on behalf of a foreign principal.

But then, on November 22, 1963, President John F. Kennedy was assassinated.

Within weeks, the FARA enforcement effort died too. Lyndon B. Johnson, Kennedy's successor, never pursued it. In fact, Johnson became Israel's most openly supportive president at the time—reversing JFK's resistance to nuclear armament in the region and greenlighting major aid packages.

Since then, no administration—Republican or Democrat—has attempted to enforce FARA against AIPAC or its affiliates.

In theory, FARA still exists. In practice, it was buried alongside the Kennedy era.

What followed was a 60-year silence.

Chapter 7 – 50 States, One Agenda

The rise of anti-BDS legislation wasn't a grassroots movement. It was a coordinated campaign—one that swept across state legislatures with model bills, donor pressure, and quiet lobbying from national organizations.

By 2015, Israel's advocates realized that state-level policy could achieve what federal law could not. Using boilerplate text, advocacy groups like AIPAC and CUFI (Christians United for Israel) helped lawmakers introduce nearly identical bills in state after state.

The strategy was simple:

1. Rebrand boycotts of Israel as discrimination.
2. Position anti-BDS laws as civil rights protections.
3. Pressure lawmakers—especially in Republican-controlled states—to adopt them quickly.

What began with Illinois soon spread to dozens of states. Governors signed executive orders. Legislatures passed bills with little public debate. Many Americans never knew the laws existed—until they were asked to sign a loyalty clause.

This wasn't federal. It wasn't constitutional. But it worked.

And because each law was slightly different, the legal challenges were fragmented. Some required a signed pledge. Others denied state investment. A few targeted educational funding. But the message was always the same: if you boycott Israel, there will be consequences.

The 50-state map of influence wasn't built with tanks. It was built with templates.

Chapter 8 – Follow the Money, Follow the Silence

Laws don't pass themselves. Contracts don't write themselves. Someone funds them. Someone shapes them. Someone ensures the media stays quiet while it happens.

To trace this influence, follow the money.

- **AIPAC**, the most powerful pro-Israel lobbying group, spends tens of millions each election cycle. In the 2022 election cycle alone, AIPAC's political action committee spent over \$17 million supporting pro-Israel candidates, making it one of the largest single-issue PACs in American politics.
[6](#)
- **CUFI**, backed by evangelical megadonors, amplifies this influence with pulpit-driven pressure on conservative lawmakers. With over 10 million members, it represents a significant voting bloc that politicians are reluctant to alienate.
[7](#)
- **The Foundation for Defense of Democracies**, **The Israel Project**, and others produce policy briefs and PR campaigns for lawmakers and journalists alike.

Together, they create a unified front: lobbying, funding, messaging, and legal drafting—packaged and deployed state by state.

And with money comes silence.

Most mainstream news outlets never cover these laws unless lawsuits are filed. Even then, coverage is often shallow. Editorial boards rarely condemn the laws. Journalists avoid the topic. Political candidates sidestep it.

Why?

- Fear of being labeled antisemitic
- Dependency on political donations
- Career risk in challenging powerful lobbies

The silence is not accidental. It is the price of participation in a controlled conversation.

And yet, the facts remain.

- Public money is denied to dissenters
- Constitutional rights are sidestepped for ideology
- Foreign interests are treated as untouchable

This is not about religion. It's about regulation—crafted to protect a foreign state from peaceful American dissent.

And that is what the silence protects.

Chapter 9 – Reclaiming Sovereignty: What Comes Next

Now that the picture is clear, the question becomes urgent: What does a sovereign America look like when it refuses to serve foreign agendas?

The facts are no longer hidden. They have been mapped, cited, and experienced firsthand by individuals, businesses, and communities across the country. This is not a theoretical debate about alliances or policy preferences. This is about the survival of the American republic as a nation governed by and for its people.

Reclaiming sovereignty means restoring the principles that were supposed to define this nation:

- That freedom of speech is not for sale
- That loyalty cannot be coerced through contract law
- That no foreign entity should shape American law in the shadows
- That elected officials should serve their constituents, not distant capitals

This is not about Israel alone—it is about precedent. If one foreign government can use financial power, lobbying networks, and legal coercion to reshape the rights of Americans, then others will follow. The longer this model is allowed to stand, the harder it will be to dismantle.

The solution starts with truth:

- **Educate others.** Share the facts. Share the stories. Use this book as a launchpad, not an endpoint.
- **Resist silence.** If you're asked to sign a loyalty pledge that violates your beliefs or targets your right to boycott, say no. Let the courts decide. Many have ruled in favor of the Constitution.
- **Support independent candidates and media** that refuse to take money from foreign-backed PACs.
- **Demand transparency** in contracts, public funding, and foreign aid. Ask your state representatives where the money comes from—and what is being asked in return.

Finally, we must commit to restoring the purpose of laws like FARA, not just as historical footnotes but as modern tools. Transparency is not too much to ask from those seeking to shape American life. If a group acts on behalf of a foreign government, it should be known. If a policy benefits a foreign nation, it should be debated—not hidden in fine print.

This book is not meant to condemn, but to clarify. Loyalty to the American people must never be optional. And policy should never be shaped by fear, money, or silence.

We are still a republic—if we choose to act like one.

Epilogue: Let the Record Show

This book will be challenged, discredited, and ignored by those who benefit from silence. But that doesn't change the facts.

Let the record show that the people were warned. That the truth was documented. That sovereignty was traded, not taken.

And that we—who still believe in liberty—stood up to name it.

Appendices

Appendix A – Anti-BDS Laws by State (with Year Enacted)

State	Year Enacted
Illinois	2015
South Carolina	2015
Tennessee	2015
California	2016
Colorado	2016
Florida	2016
Georgia	2016
Indiana	2016
New Jersey	2016
New York (EO)	2016
Ohio	2016
Pennsylvania	2016
Virginia	2016
Arizona	2016
Arkansas	2017

State	Year Enacted
Iowa	2017
Kansas	2017
Maryland	2017
Michigan	2017
Minnesota	2017
Nebraska	2017
Nevada	2017
New Mexico	2023
North Carolina	2017
North Dakota	2017
Texas	2017
Utah	2017
Wisconsin	2017
Kentucky	2018
Louisiana	2018

State	Year Enacted
Mississippi	2019
Missouri	2020
Oklahoma	2020
South Dakota	2020
Idaho	2021
Montana	2021
West Virginia	2021

Appendix B – Sample "No Boycott Israel" Contract Language

Example clause commonly found in state contracts:

"By executing this Agreement, the Contractor certifies that it is not currently engaged in, and agrees for the duration of this Agreement not to engage in, a boycott of Israel. For purposes of this Agreement, 'boycott of Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations

specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes."

This language, or variations of it, appears in thousands of contracts across the United States, from school district vendor agreements to state university employment contracts to municipal service providers. The penalties for non-compliance typically include immediate termination of the contract and potential blacklisting from future state contracts.

In some states, the language has been modified following legal challenges. For example, after court rulings questioned the constitutionality of these provisions, several states amended their laws to apply only to companies above a certain size (typically those with 10+ employees) or contracts above a certain value threshold (often \$100,000 or more). These modifications were designed to avoid further legal challenges while maintaining the core restrictions against boycotts.

Appendix C – Key Legal Challenges to Anti-BDS Laws

State	Case/Outcome
Kansas	<i>Koontz v. Watson</i> – Court blocked enforcement; ruled law unconstitutional
Texas	<i>Amawi v. Pflugerville ISD</i> – Preliminary injunction issued
Arizona	<i>Jordahl v. Brnovich</i> – Courts found original law unconstitutional
Arkansas	<i>ACLU v. Pulaski County</i> – Federal court initially upheld; reversed on appeal

These cases affirm that requiring loyalty oaths for public employment or contracts likely violates the First Amendment.

Appendix D – Timeline of Pro-Israel Lobbying Activity

Year	Notable Event
2015	First anti-BDS law passed in Illinois
2016	AIPAC-backed laws introduced in over a dozen states
2017	Texas enacts strict law; sparks legal challenge
2018	CUFI expands pro-Israel lobbying to state legislatures
2020	Federal bills introduced to criminalize BDS support (did not pass)
2021	Over 30 states have active laws or orders
2023	Legal reversals spark rewording of contracts instead of repeal
2023	Supreme Court declines to hear appeal of Arkansas anti-BDS law
2025	Illinois legislators introduce bills to repeal original 2015 law

Appendix E – Recent Developments (2023-2025)

The landscape of anti-BDS legislation continues to evolve. As of 2025, thirty-eight states have laws or executive orders penalizing boycotts of Israel, according to recent reporting.⁸ However, a growing movement to repeal these laws has emerged, particularly in the Midwest.

In Illinois—the first state to pass anti-BDS legislation in 2015—Democratic legislators State Sen. Michael Porfirio and State Rep. Abdelnasser Rashid (the only Palestinian American serving in the state House) introduced legislation in 2025 to repeal the original anti-boycott law.⁹ The repeal effort has gained support from civil liberties advocates who argue that the laws infringe on constitutionally protected free speech.

The legal challenges to these laws have continued to produce mixed results. In February 2023, the Supreme Court declined to hear an appeal of a decision upholding Arkansas' anti-BDS law, leaving in place a ruling that remains an outlier among courts that have addressed the constitutionality of these laws.¹⁰

Meanwhile, states have adapted their approaches to avoid legal challenges. After Texas evaded earlier challenges to its anti-boycott law by amending it to apply only to contracts over \$100,000, the Council on American-Islamic Relations returned to court in October

2021 to block enforcement of the law. In January 2022, a district court issued an injunction blocking both the city of Houston and the state attorney general from enforcing the law against the plaintiff, citing constitutional concerns. However, in July 2023, the Fifth Circuit Court of Appeals vacated a portion of the injunction and dismissed claims against the attorney general.^{[11](#)}

These developments illustrate how anti-BDS laws continue to face both legal scrutiny and growing political opposition, even as they remain in effect across much of the country.

References

1. Grant F. Smith, "America's Defense Line: The Justice Department's Battle to Register the Israel Lobby as Agents of a Foreign Government," Institute for Research: Middle Eastern Policy, 2008. [↵](#)
2. Bahia Amawi v. Pflugerville Independent School District et al., 1:18-cv-01091 (W.D. Tex. 2018). [↵](#)
3. Mikkel Jordahl v. Mark Brnovich et al., CV-17-08263-PCT-DJH (D. Ariz. 2018). [↵](#)

4. *Arkansas Times LP v. Waldrip*, 362 F. Supp. 3d 617 (E.D. Ark. 2019). [↵](#)
5. *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886 (1982). [↵](#)
6. OpenSecrets.org, "AIPAC Political Action Committee Expenditures, 2022 Cycle," accessed May 2025. [↵](#)
7. Christians United for Israel, "About CUFI," official website, accessed May 2025. [↵](#)
8. Alexandra Martinez, "Midwest organizers lead push to repeal anti-boycott laws," Prism Reports, April 30, 2025. [↵](#)
9. Simon Carr and Sonya Dymova, "Lawmakers seek to reverse Illinois law penalizing companies that boycott Israel," Capitol News Illinois, May 16, 2025. [↵](#)
10. Palestine Legal, "Legal Challenges to Anti-Boycott Laws," updated September 29, 2023. [↵](#)
11. *A&R Engineering and Testing, Inc. v. City of Houston*, No. 22-20047 (5th Cir. 2023). [↵](#)