



U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS
1139 LONGWORTH HOUSE OFFICE BUILDING
Washington, DC 20515

January 30, 2024

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Director Wray:

On November 15, 2023, the U.S. House Committee on Ways and Means held a hearing titled “*From Ivory Towers to Dark Corners: Investigating the Nexus Between Antisemitism, Tax-Exempt Universities, and Terror Financing.*”¹ During the hearing, we heard about past illicit activities that U.S.-based tax-exempt charities have engaged in, and new organizations that are potentially engaged in the same or similar conduct. In the past, charities ultimately abused the U.S. tax code by sending millions of dollars overseas to terrorist organizations, including Hamas, which has been designated as a foreign terrorist organization by the U.S. State Department since 1997.² In addition, we heard about a network of U.S.-based tax-exempt charities currently operating in America that may be engaged in conduct similar to that of charities previously shut down by the U.S. government for their ties to terrorism. We write to better understand the FBI’s efforts to seek out and hold groups accountable for providing financial support to terrorist organizations like Hamas.

It is alarming that hard-earned American taxpayer dollars are potentially being redirected and funneled to support terrorist organizations like Hamas. There are concerns that law enforcement and intelligence agencies have not focused their efforts on Hamas as a direct threat in recent years given other priorities.³ Dr. Jonathan Schanzer, a former U.S. Department of the Treasury official and counterterrorism financing expert, raised an alarming point at the November 15 hearing:

¹ H. Comm. on Ways and Means, *Hearing: From Ivory Towers to Dark Corners: Investigating the Nexus Between Antisemitism, Tax-Exempt Universities, and Terror Financing* (Nov. 15, 2023), <https://waysandmeans.house.gov/event/hearing-from-ivory-towers-to-dark-corners-investigating-the-nexus-between-antisemitism-tax-exempt-universities-and-terror-financing/>.

² National Counterterrorism Center, *Foreign Terrorist Organizations* (Sep. 2022), https://www.dni.gov/nctc/ftos/hamas_fto.html.

³ Warren P. Strobel, *U.S. All but Stopped Spying on Hamas in Years After 9/11*, THE WALL STREET JOURNAL (Nov. 1, 2023), <https://www.wsj.com/politics/national-security/u-s-all-but-stopped-spying-on-hamas-in-years-after-9-11-ebe8d61d>.

My concern right now is that we've taken our eye off the ball. I am not aware of significant efforts within the U.S. government to track Hamas over the last ten years. Yes, over the last month, we have seen a significant uptick, and justifiably so. My fear, though, is that we've had ten years of just a blind spot as it relates to Hamas, perhaps other groups as well.⁴

In the early 2000s, the Treasury Department, with the help of other government agencies, investigated and identified several U.S. tax-exempt charities suspected of funneling money to terrorist organizations.⁵ These charities include the Holy Land Foundation and KindHearts for Charitable Development ("KindHearts").⁶ They were ultimately shut down in 2001 and 2006 respectively and designated as terrorist organizations.⁷ Before the U.S. government was able to shut these charities down, these groups sought donations from Americans and actively redirected resources to terrorist organizations. For example, the Holy Land Foundation funneled \$12.4 million from American taxpayers to Hamas.⁸ In 2001, the Treasury Department reported that these funds were "used by Hamas to support schools that serve Hamas ends by encouraging children to become suicide bombers and to recruit suicide bombers by offering support to their families."⁹ Five years after the Holy Land Foundation was shut down, the Department labeled KindHearts as the "progeny" of the Holy Land Foundation.¹⁰

Naturally, the vicious attacks by Hamas against Israeli civilians on October 7, 2023, have refocused the attention of Congress, and hopefully the Federal Bureau of Investigation (FBI) and other U.S. government agencies, on the threat of Hamas and the mechanisms that finance it. We want to be sure there are not tax-exempt groups in the U.S. now that are operating like the Holy Land Foundation.

We also learned of several concerning events involving antisemitism that turned violent. Unfortunately, the examples of horrific antisemitism since October 7 are too numerous to list here, but a few examples include one Jewish student's nose being broken after trying to stop the burning of an Israeli flag, a group of Jewish students being forced to barricade themselves inside a library while others banged on the walls outside, and other incidents of assault and violence

⁴ H. Comm. on Ways and Means, *Seven Key Moments from Ways & Means Hearing on Nexus Between Antisemitism, Tax-Exempt Universities, and Terror Financing* (Nov. 17, 2023), <https://waysandmeans.house.gov/seven-key-moments-from-ways-means-hearing-on-nexus-between-antisemitism-tax-exempt-universities-and-terror-financing/>.

⁵ U.S. Dept. of the Treasury, "Shutting Down the Terrorist Financial Network December 4, 2001" (Dec. 4, 2001), <https://home.treasury.gov/news/press-releases/po841>; U.S. Dept. of the Treasury, *Treasury Freezes Assets of Organization Tied to Hamas* (Feb. 19, 2006), <https://home.treasury.gov/news/press-releases/js4058>.

⁶ *Id.*

⁷ *Id.*

⁸ U.S. Dept. of Justice, *Federal Judge Hands Downs Sentences in Holy Land Foundation Case* (May 27, 2009), <https://www.justice.gov/opa/pr/federal-judge-hands-downs-sentences-holy-land-foundation-case>.

⁹ U.S. Dept. of the Treasury, "Shutting Down the Terrorist Financial Network December 4, 2001" (Dec. 4, 2001), <https://home.treasury.gov/news/press-releases/po841>.

¹⁰ U.S. Dept. of the Treasury, *Treasury Freezes Assets of Organization Tied to Hamas* (Feb. 19, 2006), <https://home.treasury.gov/news/press-releases/js4058>.

against Jewish individuals, particularly on college campuses.¹¹ These are not isolated incidents. As you previously noted during a U.S. Senate Committee on Homeland Security and Governmental Affairs hearing on October 31, 2023, “Jewish people make up 2.4 percent of the U.S. population but are the targets of about 60 percent of religious-based hate crimes.”¹² Moreover, reported incidents of antisemitic harassment, vandalism, and assault have increased dramatically, possibly by almost 400 percent, in the wake of the October 7 Hamas attacks.¹³

While your testimony on October 31, and the testimony we heard at our November 15 hearing is illuminating and alarming, it raises several questions related to the work of the FBI to combat terrorism and antisemitism. We write today to seek information about what the FBI is doing to address these issues and to encourage you to prioritize efforts to address domestic activities that provide support to Hamas and similar entities. We also write to ask you whether the FBI needs any specific congressional action to facilitate efforts to address antisemitism and terrorism financing in the United States.

Therefore, we request that you provide answers to the questions below by February 13, 2024. It is important for Congress to get answers to these questions, but we are also sensitive to the need for resources to remain dedicated to active work you are doing on these issues. We do not wish to take the FBI away from that important work. If these questions would be most efficiently answered via a briefing, we are happy to receive information in that format.

1. Is the FBI actively monitoring and tracking hate crimes and incidents of antisemitism happening across the country?
 - a. If so, when did the FBI start tracking incidents of antisemitism in the U.S.?
 - b. Since the October 7 attacks, what trends has FBI data shown?
2. Does the FBI have any initiatives or specific efforts related to antisemitic activity on college campuses?
3. What is the FBI currently doing to investigate and combat this alarming rise in antisemitism that we are witnessing across the country?

¹¹ Jack Stripling, *Colleges Braced for Antisemitism and Violence. It's Happening.*, THE WASHINGTON POST (Oct. 31, 2023), <https://www.washingtonpost.com/education/2023/10/31/antisemitism-college-campuses-jewish-hamas-gaza/>.

¹² Lindsay Whitehurst, *The FBI director warns about threats to Americans from those inspired by the Hamas attack on Israel*, THE ASSOCIATED PRESS (Oct. 31, 2023), <https://apnews.com/article/fbi-hamas-attack-isis-bb1ceb7ce51cfc05ed751d2ce7983fed>.

¹³ Anti-Defamation League Press Release, *ADL Records Dramatic Increase in U.S. Antisemitic Incidents Following Oct. 7 Hamas Massacre*, ANTI-DEFAMATION LEAGUE (Oct. 24, 2023), <https://www.adl.org/resources/press-release/adl-records-dramatic-increase-us-antisemitic-incidents-following-oct-7>.

4. What is the FBI doing to ensure that U.S.-based tax-exempt organizations and other groups operating on U.S. tax-exempt college campuses are not directly or indirectly providing financial and other support to terrorist organizations like Hamas?
5. What standards does the FBI apply to open investigations of tax-exempt entities if they are suspected of supporting terrorism?
6. Is there any action Congress can take to assist the FBI in efforts to address antisemitism and terrorism financing here in the United States? If so, please describe those actions.

If you have any questions about this request, please contact Sean Clerget with the Ways and Means Committee Majority staff at 202-225-3625 and Andrew Grossman of the Ways and Means Committee Minority staff at 202-225-402 to arrange a briefing or written response. Thank you for your time and attention to this important inquiry.

Sincerely,



Jason Smith
Chairman
Committee on Ways and Means



Mike Thompson
Ranking Member
Subcommittee on Tax



Vern Buchanan
Chairman
Subcommittee on Health



Danny K. Davis
Ranking Member
Subcommittee on Work and Welfare



Adrian Smith
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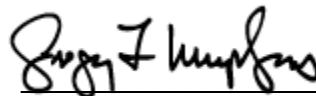
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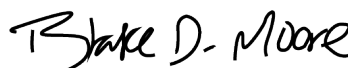
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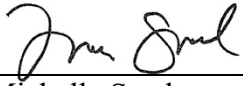


Blake D. Moore
Member of Congress

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