



One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

March 30, 2012

The Honorable Hillary Clinton
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Clinton:

We are writing to urge you to immediately designate the Nigerian Islamist group Boko Haram a Foreign Terrorist Organization (FTO), in accordance with Section 219 of the Immigration and Nationality Act (INA), as amended, and designate Boko Haram as a Specially Designated Global Terrorist entity (SDGT) under Executive Order 13224. We are deeply concerned that Boko Haram's tactics, targeting, and fundraising operations appear to be increasingly international in scope, including within the U.S. Homeland. In the ten years since the 9/11 attacks, the U.S. government has made great strides against al Qaeda, highlighted by the killing of Osama bin Laden. We must ensure that the Federal government does not become complacent and allow bureaucratic stovepipes to prevent us from addressing a critical terrorist threat.

On November 30, 2011, the Committee on Homeland Security released a bipartisan report entitled, "Boko Haram: Emerging Threat to the U.S. Homeland." The report determined that Boko Haram has the intent and may be developing the capability to coordinate on an operational level with al Qaeda affiliates, including al Qaeda in the Islamic Maghreb (AQIM) and al-Shabaab. The Committee also released a report in July 2011 that exposed the increasingly evolving threat that al Shabaab poses to the U.S. Homeland. As you know, Boko Haram's evolution in targeting and tactics closely emulate that of other al Qaeda affiliates that have targeted the U.S. Homeland, mostly notably al Qaeda in the Arabian Peninsula (AQAP) on Christmas Day 2009 and Tehrik-i-Taliban Pakistan (TTP) in Times Square in May 2010.

In the last six months, Boko Haram has intensified its campaign of terrorism, including detonating a vehicle borne improvised explosive device (VBIED) at a Catholic church during Christmas Day mass. The group also conducted a series of attacks in January 2012 throughout Nigeria that killed dozens. These attacks follow the August 26, 2011 bombing of the U.N. headquarters in Abuja that killed 23 and injured 100. According to Human Rights Watch, Boko Haram has killed more than 900 people in the last two years.

The brazenness and sophistication of these attacks are hallmarks of al Qaeda tradecraft. Boko Haram's rapid progression from a machete wielding mob to a full blown al Qaeda affiliate targeting the United Nations and Western interests is deeply concerning to multiple members of the U.S. Intelligence Community, including the Federal Bureau of Investigation (FBI) and the U.S. Department of Defense's Special Operations Command (USSOCOM).

As you know, designating Boko Haram an FTO will ensure that the Department of Justice has the necessary legal authorities to prosecute individuals associated with Boko Haram for any terrorism related crimes within the U.S. Homeland. It will also allow the Department of Treasury the authority to designate individuals within Boko Haram for illicit fundraising. Currently, neither the Departments of Justice nor Treasury can take such actions without FTO designation creating unnecessary risk. In addition, FTO designation will also ensure that all other members of the U.S. Intelligence Community have every military, intelligence, diplomatic, and economic tool at their disposal to disrupt and deter Boko Haram's operations, planning, and fundraising both internationally and domestically.

If you have any questions, please do not hesitate to contact us at 202.226.8417

Sincerely,



PETER T. KING
Chairman
Committee on Homeland Security



PATRICK MEEHAN
Chairman
Subcommittee on Counterterrorism
and Intelligence

cc: The Honorable Eric H. Holder, Attorney General of the United States
The Honorable Timothy Geithner, Secretary of the Treasury
The Honorable Robert S. Mueller III, Director of the Federal Bureau of Investigation
The Honorable Leon Panetta, Secretary, Department of Defense
The Honorable Janet Napolitano, Secretary, Department of Homeland Security
The Honorable James R. Clapper, Director of National Intelligence
The Honorable David Petraeus, Director of the Central Intelligence Agency
The Honorable Matthew G. Olsen, Director of the National Counterterrorism Center