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THE FORT HOOD ATTACK: A PRELIMINARY ASSESSMENT

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

OF THE

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

NOVEMBER 19, 2009

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THE FORT HOOD ATTACK: A PRELIMINARY ASSESSMENT

THURSDAY, NOVEMBER 19, 2009

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10:01 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Levin, Carper, Pryor, McCaskill, Collins, McCain, Ensign, and Graham.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. The hearing will come to order. This morning, our Committee begins an investigation as serious and consequential as any it has ever undertaken. An American soldier, Major Nidal Malik Hasan, has been charged with killing 12 of his fellow soldiers and one civilian on an American military base in Texas in what I believe, based on available evidence, was a terrorist attack.

The purpose of this Committee's investigation is to determine whether that attack could have been prevented, whether the Federal agencies and employees involved missed signals or failed to connect dots in a way that enabled Major Hasan to carry out his deadly attack. If we find such errors or negligence, we will make recommendations to guarantee as best we can that they never occur again. That is our purpose here.

We are conducting this investigation because we believe it is our responsibility to do so according to law and Senate rules. We are both the Homeland Security Committee and, over the long term, the Governmental Affairs Committee, which under the rules has a special responsibility to conduct oversight of Executive Branch actions, particularly when, as in this case, there are questions about those actions. We know it will be very difficult to fulfill our Committee's responsibility without the cooperation of the Executive Branch.

Yesterday, I want to report, I spoke with Secretary of Defense Robert Gates and Attorney General Eric Holder and asked their cooperation in allowing the bipartisan staff of this Committee to interview relevant individuals in their Departments and obtain relevant documents as part of this investigation of the murders at Fort Hood, Texas. Secretary Gates and Attorney General Holder both said they respected our authority to conduct such an inves-

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tigation and wanted to work out an understanding in which they could cooperate so long as our investigation did not hamper or compromise the criminal investigation and prosecution of the accused murderer Major Hasan.

I assured them that our Committee understood and respected the difference between their criminal investigation and our congressional investigation. Their criminal investigation is to bring an accused to justice. Our congressional investigation is to learn whether the Federal Government or any of its employees could have acted in a way that would have prevented these murders from occurring. Their investigation in one sense looks backward and is punitive; ours looks forward and is preventive.

I am optimistic that we will work out a way for both investigations to proceed without compromising either. Our staffs will be meeting with representatives of the Departments of Justice and Defense very soon to try to work out ground rules for both investigations without interfering with each other.

But I can say that I am encouraged and appreciative that Senator Collins and I, and our top-level staff, have received one classified briefing on Major Hasan's case and will soon receive another and have been given access to some very relevant classified documents relating to this matter. So we are off to a good, cooperative start. And we are going to be insistent about this because it really is our responsibility to do so.

At the conclusion of our investigation, we will issue a report and recommendations. I want to make clear this morning that we intend to carry out this investigation with respect for the thousands of Muslim-Americans who are serving in the American military with honor and the millions of other patriotic, law-abiding Muslims who live in our country. But we do no favor to all of our fellow Americans who are Muslim by ignoring real evidence that a small number of their community have, in fact, become violent Islamists and extremists.

It seems to me here at the outset, and based on what we know now, that there are three basic areas of importance in which our Committee in this investigation will want to gather facts and draw conclusions.

First, if, as seems to be the case, there were colleagues of Major Hasan in the U.S. Army who heard him say things or watched him do things that raised concerns in their minds about his mental stability and/or his political extremism, the question is: Were those concerns conveyed up the chain of command? And were they recorded anywhere in Major Hasan's personnel files? And did the Army do anything in response to those concerns?

Second, what information did the Joint Terrorism Task Forces (JTTF) headed by the Federal Bureau of Investigation (FBI) have about Major Hasan, including transcripts of e-mails which he had with a subject of investigation that the FBI acknowledged publicly it had in its possession? Acknowledgment came last week. What judgments were made about those e-mails? Was any attempt made to investigate Major Hasan further after his e-mail traffic with the subject of an ongoing Joint Terrorism Task Force investigation was intercepted?

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And, third, was the information which the Joint Terrorism Task Force had on Major Hasan shared with anyone in the U.S. Army, the Department of Defense, or anyone else in our government?

Those to me are three central questions, though by no means all the questions, we will pursue painstakingly and answer as completely as we can before we reach conclusions and make recommendations.

This morning, we are really grateful to have with us to help us consider both those questions and others a very experienced and thoughtful panel of witnesses, with experience in terrorism, counterterrorism, law enforcement, and the military. We have asked our witnesses to give us their first reactions to what we know of the murders at Fort Hood and to what we know of the accused murderer, Major Hasan, based on the publicly available evidence. I also hope that they will offer us their advice about what other questions our investigation should raise regarding the focus of our inquiry, which is the conduct of employees of the Department of Justice, the Department of Defense, or any other Federal agency or department.

I really want to thank the witnesses for being here, and I look forward to your testimony, which I am confident will get this Committee's investigation off to exactly the right start.

Senator Collins.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Chairman, let me begin this morning by saluting you for your leadership and for your courage in proceeding with this investigation and these hearings. I can think of no more important task for this Committee to undertake.

In investigating the September 11, 2001, terrorist attacks, the 9/11 Commission led by Tom Kean and Lee Hamilton discovered vital information scattered throughout the government, confined by agency silos, that might have prevented the deaths and destruction of that terrible day if only the dots had been connected.

In the wake of the mass murder at Fort Hood, we once again confront a troubling question: Was this another failure to connect the dots?

Much has been done since September 11, 2001, to respond to the failures exposed by those attacks. We created the National Counterterrorism Center (NCTC), additional Joint Terrorism Task Forces, and fusion centers. We revised information-sharing policies and promoted greater cooperation among intelligence agencies and law enforcement. And the results have been significant. Terrorist plots, both at home and abroad, have been thwarted. The recent arrest of Najibullah Zazi demonstrates the tremendous benefits of information sharing and joint efforts by the NCTC and other intelligence agencies as well as Federal, State, and local law enforcement.

But the shootings at Fort Hood may indicate that communications failures and poor judgment calls can defeat the systems intended to ensure that vital information is shared to protect our country and its citizens. This case also raises questions about whether or not restrictive rules have a chilling effect on the legiti-

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mate dissemination of information, making it too difficult to connect the dots that would have allowed a clear picture of the threat to emerge. These are the overarching questions that we will explore with our expert witnesses today.

Our ongoing investigation will also seek answers to questions specific to the Fort Hood case. For example, how did our intelligence community and law enforcement agencies handle intercepted communications between Major Hasan and a radical cleric who was a known al-Qaeda associate? Did they contact anyone in Major Hasan's chain of command to relay concerns? Did they seek to interview Major Hasan himself?

When Major Hasan reportedly began to openly question the oath that he had taken to support and defend the Constitution of the United States, did anyone in his military chain of command intervene? When Major Hasan in his presentation at Walter Reed in 2007 recommended that the Department of Defense allow "Muslim soldiers the option of being released as conscientious objectors to increase troop morale and decrease adverse events," did his colleagues and superior officers view this statement as a red flag? Were numerous warning signs ignored because the Army faces a severe shortage of psychiatrists and because the Army was concerned, as the Chief of Staff has subsequently put it, about a backlash against Muslim soldiers?

These are all troubling questions that we will seek to answer.

For nearly 4 years, this Committee has been investigating the threat of homegrown terrorism. We have explored radicalization in our prisons, the cycle of violent radicalization, and how the Internet can act as a virtual terrorist training camp. We have warned that individuals within the United States can be inspired by al-Qaeda's violent ideology to plan and execute attacks even if they do not receive any direct orders from al-Qaeda to do so. And we have learned of the difficulty of detecting lone-wolf terrorists.

To prevent future homegrown terrorist attacks, we must better understand why law enforcement, intelligence agencies, and our military personnel system may have failed in this case. Major Hasan's attack targeted innocent civilians and soldiers, regardless of their religious faith. The patriotic soldiers and citizens of all faiths who were injured and killed, not on a foreign battleground but, rather, on what should have been safe and secure American territory, deserve a thorough investigation.

With so many questions still swirling around this heinous attack, it is important for our Nation to understand what happened so that we may work to prevent future incidents. We owe that to our troops, to their families and communities, and to all the American people.

Chairman LIEBERMAN. Thank you very much, Senator Collins, for that excellent opening statement.

We will now go to the witnesses and begin with Jack Keane, retired General of the U.S. Army, former Vice Chief of Staff of the Army. We are honored to have him here, a decorated American soldier, who in particular has relevant experience here about which I hope General Keane will testify. He was commander of the base at Fort Bragg right after a soldier with white extremist views was involved in the murder of an African-American couple. That experi-

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ence I think informs his view of this incident, and, of course, we would welcome his reflections on that and the broader issue of extremism in the military and how we hope the Army has handled this situation.

General Keane, it is a great honor to have you here, and we welcome your testimony at this time.

TESTIMONY OF GENERAL JOHN M. KEANE, USA, RETIRED,[1] FORMER VICE CHIEF OF STAFF OF THE U.S. ARMY

General KEANE. Thank you, Mr. Chairman, Senator Collins, and Members of the Committee. I truly appreciate you inviting me here to testify this morning on a subject of such national importance which directly affects the security of the American people and in this case, equally or more important, our soldiers and their families.

How painfully and devastatingly ironic that our soldiers were gunned down at Fort Hood while preparing to deploy overseas to fight jihadist extremism. As we are rapidly becoming aware, the preliminary reports suggest that Major Hasan himself is a jihadist extremist as he indicated during the act of shooting our soldiers by crying out the jihadist refrain, "Allahu akbar." It appears likely that Major Hasan's targets and his radical beliefs are directly related as he chose to kill those who were destined to fight jihadist extremism.

We all welcome the investigations that the Army, the Department of Defense (DOD), the Federal Bureau of Investigation, other agencies of government, and this Congress are conducting to determine who was Major Hasan; what were the patterns of his behavior and attitude; what did we know about what appears to be his extremist beliefs; how did we share that information, and what actions did we take or fail to take as a result; and, most definitely, what must we do to prevent such incidents in the future?

The Department of Defense has a longstanding policy of intolerance for organizations, practices, or activities that are discriminatory or extremist in nature. This policy was updated in 1986 as a result of service member participation in supremacist activities and again in 1996 after two Army soldiers committed two racially motivated murders at Fort Bragg, North Carolina, resulting in the death of two African-Americans and prompting a DOD review of the 1986 policy and a subsequent revision in 1996. In fact, the Army issued a pamphlet titled "Extremist Activities" as a result of that incident.

I took command of Fort Bragg and the 18th Airborne Corps weeks after that incident occurred, and there was much that we learned that eventually became Army policy. First and foremost, we were tolerating racially motivated skinheads who were in our units at Fort Bragg. When extremism occurs in a unit, there is a natural tendency for soldiers to pull away from it because it is so disturbing to their beliefs and to the beliefs of the Army. As such, it can often polarize a unit and directly affect its cohesion, morale, and capability to perform at a very high standard.

[1] The prepared statement of General Keane appears in the Appendix on page 50.

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What we found at Fort Bragg is that our policies were not clear in identifying what extremist behavior was—in this case, tattoos, specific dress, racial rhetoric, Nazi symbols, etc. As a result, racial extremists were allowed to exist in our units. Twenty-one soldiers were eventually eliminated from the service for exhibiting such behavior—unfortunately, all after the racially motivated murders were committed. Two soldiers were tried and convicted for these murders.

The Army investigation determined that we needed to update our policies and, equally important, educate Army soldiers and leaders on the patterns of behavior and signs and symbols of racially motivated extremism. Those policies require soldiers and leaders to identify such behavior and to report it so that commanders can take appropriate action.

Commanders' options are numerous, from counseling, efficiency reporting, Uniform Code of Military Justice (UCMJ) or legal actions, and involuntary separation. Our commanders then and now have full authority by Army policy to "prohibit military personnel from engaging in or participating in activities that the commander determines will adversely affect good order and discipline."

I suspect strongly that after we conduct these investigations, we will find that our policies will need revision again to account for the specific behavior and attitudes as expressed by radical Islamists or jihadist extremists. It should not be an act of moral courage for a soldier to identify a fellow soldier who is displaying extremist behavior. It should be an obligation. And as such, the commanders need specific guidelines as to what jihadist extremist behavior is and re-emphasize how to use the many tools and options they have at their disposal to curb the behavior, to rehabilitate soldiers, if possible, or to take legal or separation action. Because jihadist extremists are potentially linked to terrorist organizations that directly threaten the security of the United States, it is essential that our government agencies are sharing information about such individuals.

What has been in the media these last few days about Major Hasan and his behavior, if determined to be true, is very disturbing. There are allegations such as justifying suicide bombing on the Internet, lecturing fellow soldiers using jihadist rhetoric, warning about adverse events if Muslims were not allowed to leave military service, repeatedly seeking counsel from a radical Imam Anwar al-Awlaki with well-known ties to al-Qaeda, attempting to convert some of his patients who were suffering from stress disorders to his distorted view of Islam—and, finally, was the FBI sharing with the Army what it knew about Major Hasan and al-Awlaki, and was the Army sharing what it knew about Major Hasan with the FBI?

While these patterns are preliminary and will be confirmed by the investigations that are being conducted, it is very similar to what we experienced at Fort Bragg in the late 1990s where we were wrongfully tolerating extremists in our organization who had displayed a pattern of behavior that put them at odds with the values and character of the Army.

Let me conclude by saying that the incident and Major Hasan's behavior is not about Muslims, and their religion, who are a part

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of the fabric of American life, respected and assimilated into every aspect of American society, nor is it about the 10,000 Muslims in the military who, quite frankly, are not seen as Muslims but as soldiers, sailors, airmen, and marines. Their contribution, their commitment, and their sacrifice is not only appreciated, it is honored.

This is fundamentally about jihadist extremism, which is at odds with the values of America and its military and threatens the safety and security of the American people.

I was in the Pentagon on September 11, 2001, and felt up close the horror of this extremism, as the Army lost more soldiers and civilians that day than any day in the last 8 years of war. I know our soldiers and families at Fort Hood are stung by this tragedy because their friends and loved ones were killed simply because of who they are and what they stand for. They were committed to defend this Nation against the very extremism that killed them.

Radical Islam and jihadist extremism is the most transformational issue I have dealt with in my military service and continues to be so today. In my judgment, it is the most significant threat to the security of the American people that I have faced in my lifetime. We are a society that espouses tolerance and values diversity, and our military reflects those values. But at the same time, we must know what a threat looks like, and we must know what to do about it.

Thank you, and I look forward to your questions.

Chairman LIEBERMAN. Thank you, General Keane, for that clear, strong, principled, and, for myself, stirring statement. I appreciate it very much.

We are honored next to have Fran Townsend with us, former Assistant to the President for Homeland Security and Counterterrorism. We are really grateful to have you here to put this case into the context of your experience in the field of counterterrorism generally, so please proceed.

TESTIMONY OF FRANCES FRAGOS TOWNSEND, FORMER ASSISTANT TO PRESIDENT GEORGE W. BUSH FOR HOMELAND SECURITY AND COUNTERTERRORISM

Ms. TOWNSEND. Mr. Chairman and Ranking Member Collins, thank you. It is really a privilege to be here with you today.

After more than 20 years in the government, most of it as a prosecutor and a Justice Department lawyer, the one thing I think we know for sure is that things always look clearer looking back than when you are in the heat of battle. So as you well understand, I caution the American people to remember that imperfect knowledge and facts in the heat of the investigation often result in less than perfect judgments and less than perfect knowledge. And I applaud the effort of the Committee to understand how can we make that knowledge, in the heat of the investigation, better so that we can ensure better judgments and better action.

I can say I conducted many such reviews during my time in government. Probably the most well known publicly was the Katrina Lessons Learned. What I have found more often than not is that in the wake of a national tragedy, while we typically look for single points of failure, the failures tend to be systemic. They are sys-

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temic weaknesses and systemic failures, and so the importance of your work in identifying those so that we can fix them.

When we look at this particular incident, I, as others I think, without knowing all of the facts, come away with many questions. I break them down into three distinct areas: First, collection; second, law enforcement and the Joint Terrorism Task Force investigation; and, third, the military. Let me start with collection.

While we must rely at the moment on public reports, what we understand is that there were lawfully intercepted communications in an unrelated terrorism investigation. As a result of that unrelated investigation, the intelligence community identified less than two dozen communications culled from this unrelated investigation that had more than 20,000 communications.

I must say to you, that is an extraordinary accomplishment on the part of the FBI and would not likely have occurred prior to September 11, 2001. We must acknowledge what that suggests, and that is, a stronger, more capable FBI determined to protect us, and that is to be commended.

Second, I look at the law enforcement and the JTTF investigation. To evaluate that, it is difficult without understanding several things. First, the content of the communications they were looking at, they remain classified and the subject of the ongoing investigation. Second, when the JTTF investigators looked at those communications, what did they look at them against? What information did they have access to at the time that they evaluated those communications? And then, third, once they had that information on the JTTF and made a judgment, whether we ultimately agree with the judgments that were made there or not, what did they do to share that information with individuals who could have taken action outside of a law enforcement context, presumably the U.S. military?

Let me start with content, and while I cannot speak to the specific content of Major Hasan's communications, here is what we do know about al-Awlaki from the 9/11 Commission report. Al-Awlaki in late 2000 was an imam in San Diego where also at that same mosque were two of the September 11, 2001, hijackers. In 2001, al-Awlaki relocates to the Dar Al-Hijra mosque in Northern Virginia, the same mosque that the same two September 11, 2001, hijackers from San Diego go to in Northern Virginia, as well as a third September 11, 2001, hijacker. And, finally, al-Awlaki's phone number is discovered in Ramzi Binalshibh's Hamburg apartment as a result of a search that is conducted.

The FBI and the counterterrorism community know al-Awlaki well. He has been the subject of interest and investigation since before and after he left the United States in 2002. He is well known to the international counterterrorism community and to the Yemeni Government.

Certainly the information regarding what we knew about al-Awlaki as well as these communications were shared on the JTTF. Certainly the Defense Criminal Investigative Service (DCIS) was a part of that review and participated. Presumably they looked at Major Hasan's personnel file. Of course, the question remains: What was in that file? All of the things that General Keane articulated, were they there, were they considered?

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Frankly, based on the judgment that was made on the JTTF, it raises some question whether or not any of that information, negative and derogatory, made it into the personnel file that the JTTF had access to. If it was not there, we must ask ourselves why and what we can do to ensure that information is in there so that the JTTF investigators could have had access to it.

Now, once that information was shared among the JTTF and they made a judgment, what happened next? What information was shared? I can tell you from my experience in the Justice Department, depending on how that information was collected will dictate what rules apply in terms of information sharing. There are two sets of rules that apply. To Senator Collins' question, these can be complicated, perhaps unnecessarily so.

If the information in those e-mails or those communications was collected pursuant to the Foreign Intelligence Surveillance Act, typically the warrant that permitted that collection would restrict the further dissemination of that information that was collected without the permission of the Court. It is not difficult. One can go back to the Court, request the information, and get permission for sharing. And, in fact, in my experience, I could not recall, thinking back on this, a time when the Court did not grant such permissions. So that is a legal restriction on the sharing.

The second set of rules is a memorandum of understanding that the FBI enters into with each agency that participates in the JTTF. The essence of those agreements say that information by participants in the JTTF is not to be shared with their home agencies without the permission of the JTTF. Presumably that is the FBI by whom they are led. Again, that approval can be gotten. There is not a reason not to have it.

I will tell you, as I thought about this case, I think as you read the press accounts, the question becomes: Did DOD ask for that information to be shared? Did the DOD representative on the JTTF ask for that information to be shared back with the Army? Of course, we need to know the answer to that question, but I will tell you there is something that offends me about suggesting that the obligation was only on the part of the Department of Defense. Certainly any law enforcement investigator there, if they felt that they did not have the authority to proceed, but another Federal agency could, whether it was on personnel or other reasons, should have suggested that the information be shared.

In the wake of the review, the information and the evaluation of the JTTF, when they made that evaluation, did they interview Major Hasan? If they did not believe him to be a threat, if they believed the communications to be legitimate, then why didn't you go and interview him? If you didn't want to interview him, why didn't you go and interview his colleagues at Walter Reed where the information that was not in the file might have been discovered? There are three typical responses to those questions.

First, the protection of sources and methods, that they would not have wanted to reveal where they got those communications. I would suggest to the Committee that there are ways around that concern to mask the source and method by which you did that collection.

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Second, regrettably, I worry about a sense of political correctness. I worry that, in a post-September 11, 2001, world, because we very much respect and rely on the vast majority of law-abiding Muslims, and we have done tremendous cultural training inside the Federal Government and law enforcement agencies, that there might have been some sort of self-censoring, if you will, a reluctance for them to pursue a senior uniformed military member, a doctor who was Muslim.

Last, there is the FBI's Domestic Investigation Operational Guidelines. They were written in December 2008. They are updated annually, and it has been suggested that they would not have gone out to interview Major Hasan or his employers because they would have been discouraged from doing that by the FBI's own guidelines. That, too, needs to be looked at and considered and whether or not that needs to be changed.

Last, when we look at the military, we must look at this important aspect. As I have suggested, we have to know whether or not there was a method by which the derogatory information made its way into Major Hasan's personnel file. If it did, who was responsible and accountable for following up on that information before the intercepts and after the intercepts if they had gotten the information?

We must ensure that even if the military had gotten the intercepts and the information that would have been required, that they have the process and procedures in place to ensure that they not fall through the cracks. They must also have adequate resources and training within the military to be able to address this issue.

It is important not simply because you may want to weed out someone who is mentally unfit to be deployed, but after all, we want to make sure the military has adequate resources to root out within their ranks the potential criminal, spy, or terrorist.

As Senator Collins says, it is important that we assure ourselves, we address these issues, because it is at the core of our obligation to protect our military service members and their families. We ask much of them. We owe them an honest look. We owe them to redouble our efforts to ensure their safety and their security.

It is easy to offer questions and opinions when we are unburdened by the facts. And I am not here to second-guess the hard-working public servants who investigated this case, but to offer, based on my experience, how we might improve the system and better protect our men and women in uniform. Thank you.

Chairman LIEBERMAN. Thanks, Ms. Townsend. I really appreciate the spirit and the context of your testimony, which I think will be both very informative and helpful to us as we go forward with the investigation.

Our next witness—and we thank him for coming down from New York—is Mitchell Silber, Director of Analysis with the Intelligence Division of the New York City Police Department (NYPD). Mr. Silber has testified previously before the Committee concerning what I would call a seminal report that he co-authored for the NYPD, which was titled "Radicalization in the West: A Homegrown Threat." The NYPD has really quite a remarkable preventive approach—understandably, I suppose, when one considers what happened on September 11, 2001—to the threat of terrorism generally,

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including a focus on homegrown terrorism. So we are very grateful, Mr. Silber, that you have returned to the Committee, and we welcome your testimony at this time.

TESTIMONY OF MITCHELL D. SILBER,[1] DIRECTOR OF INTELLIGENCE ANALYSIS, NEW YORK CITY POLICE DEPARTMENT

Mr. SILBER. Mr. Chairman, Senator Collins, and Members of the Committee, thank you for inviting me as the representative of the New York City Police Department to testify here today.

In October 2007, as you mentioned, I testified before this Committee about the findings of a recent study titled "Radicalization in the West: The Homegrown Threat" that I had co-authored and the NYPD had published concerning the process of radicalization in the West and the threat that it potentially posed to the United States. As it has elsewhere, this threat has now materialized in the United States.

The Past 12 Months: During the past 12 months, U.S. authorities have uncovered a number of radicalized clusters of individuals intent on committing violent jihad within the continental United States as well as abroad. These arrests, along with intelligence operations, indicate that radicalization to violence is taking place in the United States.

Approximately 1 year ago, in November 2008, the Department of Homeland Security and the FBI issued a warning relating to an al-Qaeda-linked terrorist plot against the Long Island Railroad commuter network. The origins of this plot was linked directly to Bryant Neal Vinas, a New Yorker, who radicalized to violence in and around New York City before traveling to Pakistan to seek out an opportunity to participate in violent jihad.

In April 2009, before their arrest by the Joint Terrorism Task Force, four men placed what they believed was C4 explosives outside a Jewish synagogue and community center in Riverdale in an attempt to carry out a terrorist act. These men were radicalized in the United States.

In July 2009, seven men were arrested by Federal authorities in North Carolina. They possessed weapons and more than 27,000 rounds of ammunition and had plans to attack the Marine Base at Quantico, Virginia. These men, known as the Raleigh 7, were inspired by al-Qaeda and radicalized in the United States.

This past September, Najibullah Zazi, age 24, was arrested as part of an al-Qaeda-linked conspiracy to attack locations in New York City with hydrogen peroxide-based explosives. The plot has been called one of the most serious since September 11, 2001. Zazi, who lived in Flushing, Queens, during his formative years—ages 14 to 23, before departing for Pakistan—radicalized in the United States.

Later that same September, Betim Kaziu, a 21-year-old New Yorker from Brooklyn, was indicted for conspiracy to commit murder abroad and support for foreign terrorists. Arrested in Kosovo, Mr. Kaziu sought to join a foreign fighter group overseas and "take up arms against perceived enemies of Islam," meaning American

[1] The prepared statement of Mr. Silber appears in the Appendix on page 54.

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troops potentially in Iraq or Afghanistan. He was also radicalized in the United States.

And there are more: In Boston, Tarek Mehanna, age 26 and a graduate of the Massachusetts College of Pharmacy, was arrested last month. Not only did he seek to fight abroad, but he was also charged with conspiring to attack civilians at a shopping mall in the United States, as well as two members of the Executive Branch of the Federal Government. He was radicalized in the United States.

At least 15 men of Somali descent have radicalized in Minneapolis over the last few years and have left the United States to fight in Somalia. They joined al-Shabaab, a terrorist group associated with al-Qaeda and based in Somalia. Our fear is: What happens when they return to the United States? Australia has already thwarted a plot just this year involving individuals who fought alongside al-Shabaab and then returned to Melbourne seeking to attack an Australian military base.

This past September also saw plots involving lone wolves in both Dallas, Texas, and Springfield, Illinois. In Dallas, a large office building was targeted with a vehicle-borne explosive. In Springfield, a Federal building was targeted. Though these individuals were not part of any group, much of their radicalization seems U.S. based.

And, finally, there were the recent arrests of two Chicagoans with direct links to Lashkar-e-Taiba. This is the group that was responsible for the November 2008 Mumbai terrorist attack. Though these men seemed to be plotting against targets in Denmark, once again it appears that these individuals were radicalized in the United States.

Given the evidence of the past 12-month period, one must conclude that radicalization to violence is occurring in the United States.

Process and Radicalization: Given what seems to be a pattern of individuals radicalizing to al-Qaeda-inspired violence, the NYPD has invested a substantial analytic effort in order to assess the causes and process that marked the radicalization trajectory of these individuals. Among the cases previously mentioned, we saw the pattern repeating itself. It is consistent with the model from the 2007 NYPD report that suggested of four phases: Pre-radicalization, self-identification, indoctrination, and jihadization. And driving this process is a combination of the proliferation of al-Qaeda ideology intertwined with the real or perceived political grievances that cite a Western "war against Islam" and provide the justification for young men with unremarkable backgrounds to pursue violent extremism.

Let me describe in greater detail the four phases.

Phase I, Pre-Radicalization: Pre-radicalization is the point of origin for individuals before they begin this progression. It is their life situation before they were exposed to and adopted jihadi-Salafi Islam as their own ideology. Based on the cases, individuals who are vulnerable to radicalization tend to be male Muslims between the ages of 15 to 35 who are local residents and citizens from varied ethnic backgrounds. Significant proportions come from middle-class backgrounds and are educated, at least high school graduates,

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if not university students. Based on our case studies, the vast majority of individuals who end up radicalizing to violence do not start out as religiously observant or knowledgeable.

Phase 2, Self-Identification: Self-identification is the phase where individuals, influenced by both internal and external factors, begin to explore more literal interpretations of Islam, gradually gravitating away from their old identity and beginning to associate themselves with and adopt this ideology as their own. The trigger for this "religious seeking" is often a catalytic event or a crisis which challenges the individual's previously held beliefs and causes that individual to reconsider their previously held outlook and worldview.

Phase 3, Indoctrination: Indoctrination is the phase in which an individual intensifies his beliefs, wholly adopts his extremist ideology, and concludes without question that action is required to support and further the cause. That action is violence. Indoctrination is the manifestation of accepting a religious-political ideology that justifies, legitimizes, and encourages violence against anything kufir, or un-Islamic, including the West, its citizens, its allies, or those whose opinions are contrary to their own extremist agenda.

The signatures associated with this phase include becoming an active participant in a group and simultaneously becoming increasingly isolated from one's life. Gradually, the individuals begin to isolate themselves from secular society and self-radicalize. They come to believe that the world is divided between enlightened believers (themselves) and infidels (everybody else).

Phase 4, Jihadization, or the "Violence Phase": Jihadization is a phase in which individuals accept their own individual duty to participate in violent jihad and self-designate themselves as holy warriors or mujahideen. Often, individuals will seek to travel abroad to participate in a field of jihad such as Afghanistan, Pakistan, Kashmir, Chechnya, Somalia, or Iraq, only to be redirected back to the West to do "something for the cause." Frequently, the group members participate in outdoor activities like rafting, camping, or paintball with the purpose of vetting, bonding, and training. In addition, mental preparation commences as jihadist videos are watched. And, last, potential targets are chosen, surveillance and reconnaissance begin, and the group weaponizes with readily available components.

New Analysis: While much of the 2007 radicalization study remains directly applicable to the last 12 months' events, additional research has highlighted some new findings. The most important is that the Internet has become an even more valuable venue and a driver for radicalization. In fact, this finding was also highlighted by a 2008 report that this Committee produced, noting accurately that, "the use of the Internet by al-Qaeda and other violent Islamist extremist groups has expanded the terrorist threat to our homeland. No longer is the threat just from abroad, as was the case with the attacks of September 11, 2001; the threat is now increasingly from within, from homegrown terrorists who are inspired by violent Islamist ideology to plan and execute attacks where they live. One of the primary drivers of this new threat is the use of the Internet to enlist individuals or groups of individuals

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to join the cause without ever affiliating with a terrorist organization."

In 2007, we discussed the concept of a "spiritual sanctioner," an individual who provides religious justification for violent political extremists. Within the last 6 months, we have identified a new catalyst for radicalization. We call this the "virtual spiritual sanctioner," and although he is not the only one, Anwar al-Awlaki, though based in Yemen, is an exemplar of this concept.

Both Anwar al-Awlaki's extremist ties, as previously discussed, as well as his ability to translate literature that promotes violent jihad into English have enabled his widespread radicalizing effect. Not only has al-Awlaki been a religious authority cited by the convicted Fort Dix plotters, who were disrupted in a 2007 plot against Fort Dix in New Jersey, but his tapes were also played for all of those who attended the Toronto 18's makeshift training camp, held north of Toronto in the winter of 2005. That group plotted to explode three tons of ammonium nitrate in Toronto in the fall of 2006.

Key Judgments: First, in recent years, U.S. authorities have uncovered significant and increasing numbers of radicalized clusters or individuals intent on committing violent jihad either in the United States or abroad. These arrests confirm that radicalization is taking place in the United States today.

Second, it is also noteworthy that in the past year, there have been a half dozen cases of individuals who, instead of traveling abroad to carry out violence, have elected to do it here in the United States. This is substantially different from what we have seen in the past and may reflect an emerging pattern.

And third, the al-Qaeda threat to the U.S. homeland is no longer limited to al-Qaeda core. Rather, it has decentralized and now consists of three primary elements: Al-Qaeda core; al-Qaeda allies, like Lashkar-e-Taiba, Islamic Jihad Union, and others who have begun to target the West; and, most recently, the al-Qaeda-inspired or homegrown threat that has no operational relationship with al-Qaeda core, but consists of individuals radicalized in the West who utilize al-Qaeda ideology as their inspiration for action.

Thank you.

Chairman LIEBERMAN. Well, thank you, Mr. Silber. Just two quick comments.

One, the testimony that you gave, the summary of the various homegrown terrorist plots that have been formed and stopped in the last year, reminds us that though we are in an unconventional war with the Islamist extremists who attacked us on September 11, 2001, that war increasingly has come within our borders. It started here officially, if you will, even though it was coming at us before September 11, 2001, but this pattern of homegrown radicalization is a very significant new front and is one that law enforcement is obviously dealing with quite effectively. Most of these plots, except for the ones that were lone wolves such as the Little Rock case and presumably Major Hasan's case, at least what we know of him now, were true groups and have been stopped.

My second comment is that in the question-and-answer period I am going to ask you to relate this schematic framework that you

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have of the phases of radicalization to Major Hasan based on what you know about him from public sources now.

Our next witness is Juan Carlos Zarate, former Deputy Assistant to the President, Deputy National Security Adviser for Combating Terrorism, and before that Assistant Secretary of the Treasury for Terrorist Financing. Mr. Zarate comes to us today as Senior Adviser at the Center for Strategic and International Studies.

Thank you very much for being here.

TESTIMONY OF HON. JUAN CARLOS ZARATE,[1] SENIOR ADVISER, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES; AND FORMER DEPUTY NATIONAL SECURITY ADVISOR FOR COMBATING TERRORISM

Mr. ZARATE. Thank you, Chairman Lieberman, Senator Collins, and distinguished Members of the Committee. Thank you very much for the opportunity to testify today about the horrific attacks that occurred on November 5, 2009.

Mr. Chairman, I have written testimony that I ask be entered in the record.

Chairman LIEBERMAN. Without objection, so ordered.

Mr. ZARATE. Thank you. My testimony today, Mr. Chairman, addresses some of the implications of the Fort Hood attack, including the continued terrorist threats to our military in the United States, the challenges of dealing with the lone-wolf insider threat, and the increasing problem of radicalization and the threat of violent Islamic extremism.

The horrific event at Fort Hood was shocking not only for its lethality but because an attack against our men and women of the military occurred in our own country, on a major military base, and allegedly by an Army officer whose job it was to care for the mental well-being of our soldiers.

The attack has obviously raised legitimate questions about why such an event happened; whether authorities, both civilian and military, could have prevented such an attack; and the national security implications of this incident moving forward. Unlike any event since September 11, 2001, it has also fueled discussion about the specter of a violent extremist ideology in our midst.

I think it is premature, though, to answer any of these questions completely or make final judgments without more information about the event and the alleged perpetrator. There may indeed have been a failure to connect the dots or, more importantly, a failure to evaluate completely what those dots meant, but I think it is too early to tell.

What makes the Fort Hood case particularly difficult to assess, especially at this point, is that there may have been a mixture of motives or factors at play in the alleged perpetrator's mind. What makes it a case that appears to have been harder to disrupt was that Major Hasan seems to have acted alone, in lone-wolf fashion, and may have used his medical research to mask his own inner turmoil and attraction to a violent ideology.

Unfortunately, as Mr. Silber points out, this event follows a line of attacks against military personnel in separate incidents, includ-

[1] The prepared statement of Mr. Zarate appears in the Appendix on page 58.

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ing a murder at a military recruitment center in Little Rock, an act of fratricide at Camp Liberty in Iraq, and another act of fratricide at Camp Pennsylvania in Kuwait in March 2003. The event also occurred in the wake of several disrupted terrorist plots in the United States, raising questions about whether we are facing a new wave of terrorism driven in part by self-radicalized actors. The FBI, in concert with other authorities, recently disrupted, as Mr. Silber mentioned, a series of serious plots and arrested potential terrorists from New York and North Carolina to Texas and Illinois. Some of these plots were homegrown and more local in nature, while at least two of them appear to have serious international terrorist connections. Some of these plots, like the foiled attack on Quantico, the attempt to shoot down a military transport plane in Newburgh, and the failed attack on Fort Dix in 2000, were aimed directly at our military here at home.

Even with all these events occurring in a short period of time, I think we must be careful not to draw final conclusions about how the Fort Hood attack fits into these series of arrests and incidents and whether there is a recognizable pattern that ties this event to all the others.

That said, I think it is important in the first instance to recognize the constant threat to our military from terrorist attacks. From the attacks at the marine barracks in Beirut in 1983, the destruction of Khobar Towers in Saudi Arabia in 1996, the attack on the *USS Cole* in 2000, to the present day attacks on Bagram Air Base in Afghanistan, terrorists have purposefully targeted U.S. military and installations abroad.

For homegrown or self-radicalized individuals or cells, military bases provide the most visible and legitimate targets that help them justify their actions by tying their attacks directly to the perceived attacks on Muslims by the U.S. military. Attacks on our military I think will continue and will grow more likely over time. U.S. military presence abroad will remain a visible target for our enemies—including Sunni and Shia dominated and inspired terrorist groups. At home, violent radicals will see the military as an obvious and legitimate target. It is important, then, for the military to continue to review and refine its security procedures at all our installations and for all our personnel. The problem in this case, the case of Fort Hood, though, seems not to have come from the outside but from within.

Based on publicly available information, it appears likely that the alleged perpetrator acted alone. Unlike a classic lone wolf, though, the alleged perpetrator in this case used his privileged role as an insider—an officer and doctor—to attack the military and murder his fellow soldiers. In many ways, the lone-wolf insider threat is the most challenging and difficult of problems for the counterterrorism and law enforcement communities. The more a terrorist is interacting, communicating, and manifesting intent and capabilities, the more likely the plot can be prevented.

The U.S. Government and foreign partners have uncovered a variety of such cells and networks since September 11, 2001, and prevented numerous attacks. If there is no expression of violent tendencies or plans, then it is difficult not only for authorities but also

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friends, colleagues, and neighbors to determine that a violent threat is looming.

Law enforcement, in addition, is often limited in its ability to inquire or follow up without indications of directly suspicious or criminal behavior. The June 1, 2009, murder at the military recruitment center in Little Rock is a sobering reminder of these limitations.

In retrospect, the Fort Hood case could prove to be even more complicated than past events. It may be that we will not see a smoking gun that revealed Major Hasan's true motivations and signaled an intent to resort to violence. Like other such violent incidents in the United States, there will likely be a patchwork of data points and behavioral clues which, in light of the incident, and with hindsight, as Ms. Townsend indicates, appear to point to a path of violence. A key question, then, is whether those data points were seen and evaluated properly.

The most troubling of the alleged data points revealed to date involved suspicious and supposed communications between Major Hasan and Anwar al-Awlaki. As has been testified to, al-Awlaki is Yemeni-American radical cleric with ties to the September 11, 2001, hijackers and with popular appeal on the Internet and in Yemen with Western violent extremists. Al-Awlaki has been and is well known to the U.S. Government.

Though too early to fully evaluate, what may have made these communications in the alleged case of Major Hasan more difficult to diagnose is that the alleged perpetrator's own doubts and conflict about serving in the military may have been masked by his own academic and medical research about the mind of Muslim soldiers.

The threat of an American lone wolf—radicalized remotely in the United States, perhaps via the Internet—presents the most difficult problem for U.S. law enforcement. The reality is that attacks by such actors are difficult to predict and to prevent, even more so when they are acting from the inside.

In light of this attack, there has begun a heightened debate about the threat posed by the ideology of violent Islamic extremism. The core narrative of this ideology—that the West is at war with Islam and that Muslims around the world must unite to fight the United States in defense of fellow Muslims—has widespread appeal. This is a simple, straightforward narrative that helps explain world events and local grievances. It is a narrative that is widely believed in many corners of the world and acts as a siren song for troubled individuals in crisis.

Al-Qaeda and their adherents take full advantage of this ideology to lure cannon fodder for their cause. Osama bin Laden and al-Zawahiri, al-Qaeda's number one and two, have frequently crafted messages directed to American audiences. In this case, there is no doubt that al-Qaeda will reference and use the Fort Hood attack in its propaganda as a way of convincing their adherents that the U.S. military is under pressure and suffering at the hands of al-Qaeda.

Though this is an ideology that is inherently exclusionary and violent, it is not illegal to believe in or espouse it. Many do throughout the world, including some people in the United States.

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Given our First Amendment protections, merely espousing such views cannot be considered illegal, and absent proximity and causality tied to an act of violence, the preaching of such hatred and advocacy of violence is not prosecutable as incitement under U.S. law. There are many radical ideologues, like al-Awlaki, who skate the line between spreading this hateful ideology and inciting violence under U.S. law.

Fortunately, the United States has largely been immune from the larger social and economic problems of Muslim citizen integration and the attendant problems of radicalization found throughout Europe and in parts of Asia. Much of this can be attributed to the fundamental integration of all immigrants into American society as Americans and to the common ideals and counter-narrative of the American dream. The danger of this ideology in the United States is for more individuals to fall prey to radicalization and for a divide to form within American society.

This is why I think American citizens—Muslims and non-Muslims alike—have a special responsibility not to play into the hands of the violent extremists and their ideology. There cannot be a divide in our society. To the credit of our great country and our citizens, reaction to the horrors of Fort Hood has been measured and civil.

Muslim-Americans, I think, have a special responsibility in this ideological battle. Regardless ultimately of the motivations of the perpetrator, the attack at Fort Hood is an important moment for Muslim-Americans to stand up directly against this ideology that has proven to be so deadly and destructive. This involves more than just condemnation of violent attacks but an active participation in the debate about how to isolate, discredit, and ultimately displace the allure of this false ideology, especially in the United States.

I applaud leaders like Salam al-Marayati, the Executive Director of the Muslim Public Affairs Council, who has issued a clarion call to fellow Muslim-Americans. In a recent article, he called the Fort Hood attacks a "defining moment for Muslim-Americans" and concluded the following: "We as Muslim-Americans are the answer to this frightening phenomenon of terrorism and violent extremism. We own our own destiny, and it is fundamentally intertwined with our nation's destiny. Terrorism will be defeated with our work on the front lines, not in the battlefields, but in our mosques and community centers and youth associations. By standing up and working for change, we are acting on the best and guiding principles of Islam and of America."

Indeed, I think it is our vibrant American Muslim communities and leaders who must rise up and face down the ideology that glorifies death and aims to foment division in our society.

As the review of this incident unfolds, I think it will be critical to ensure that information was shared and evaluated properly. But I also think it will be important to preserve the necessary tools to law enforcement and the intelligence community that will allow them to uncover data points related to domestic extremist terrorism. In this regard, I think the two provisions of the PATRIOT Act set to sunset this year, including the roving wiretap provision and business records authority, should be renewed. Importantly,

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the provision from the Intelligence Reform and Terrorism Protection Act (IRTPA), commonly referred to as the "lone-wolf provision," should also be renewed. These I think should be renewed without unnecessary or burdensome requirements that may dissuade or prevent the effective use of these techniques by law enforcement.

In addition, I think Congress and the Administration should ensure that the revised Attorney General Guidelines, mentioned by Ms. Townsend, are fully in effect, fully supported and implemented. In addition, the Administration and Congress should look at existing laws and authorities to determine whether modifications or more aggressive use would be appropriate against those providing material and ideological support to lone-wolf terrorists and violent extremists.

Chairman LIEBERMAN. Mr. Zarate, excuse me for interrupting, but if you can come to a close—I actually went over your statement last night, and it is very good, including the questions that you suggest we raise. But we have got a number of Committee Members here, and I know they will want to get into the questioning soon.

Mr. ZARATE. Thank you, Mr. Chairman. Let me just conclude then with a couple of the key questions I think that not only build on the questions that have been raised, but also point to some forward-looking dimensions.

Obviously, the key and core question is whether or not there were any restrictions in terms of information sharing, both horizontally and vertically, that affected the ability to see the collective body of information about Major Hasan, the suspect.

Are there existing ties with radical ideologues abroad or via the Internet that should be reviewed, again, for the threat of radicalization posed?

Are there common warning signs in the Fort Hood case and in the 2003 Camp Pennsylvania attack that can be used to prevent such future attacks?

Are there realistic expectations about preventing lone-wolf attacks? And in that regard, are there relevant laws and authorities in place to allow authorities to get in front of such threats?

Importantly, how much of this prevention goes beyond the Federal Government? How much of this bears societal response of heightened vigilance, without creating an atmosphere of fear, suspicion, and recrimination among neighbors? How do we strike that balance?

And, finally, should there be a more formal mechanism for enlisting Muslim-Americans to empower them to take on violent Islamist extremist ideology and to allow Federal, State, local, and tribal authorities an ability to more actively address community concerns?

With that, Mr. Chairman, I would be happy to answer any questions.

Chairman LIEBERMAN. Thanks very much for that very helpful testimony.

Our last witness today is Brian Jenkins, who is Senior Adviser at the RAND Corporation. Mr. Jenkins was involved in the study of terrorism before most people focused on the concept and a long time before we, much to our dismay and surprise, ended up in a

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war with one group of terrorists, as we are now. He was last before the Committee in January testifying on the Mumbai attacks of last November. We welcome you back and look forward to your testimony now.

TESTIMONY OF BRIAN MICHAEL JENKINS,[1] SENIOR ADVISER, RAND CORPORATION

Mr. JENKINS. Thank you very much, Mr. Chairman, Senator Collins, and Members of the Committee, for inviting me to talk to you about this tragic and disquieting and event.

This small pin I wear on my lapel was designed by a fireman. It was given to me in memory of those who were killed on September 11, 2001. I am wearing it this morning out of respect for those who were killed and wounded at Fort Hood.

You may recall that, when I testified before this same Committee last January on the terrorist attacks in Mumbai, in response to the question, "Could a Mumbai-style attack happen in the United States?" I said, "It could. The difference lies in the scale of events." While the recruiting and training of 10 suicide attackers was far beyond anything that we had seen in any of the conspiracies uncovered since September 11, 2001, I did point out that we had seen lone gunmen and pairs of shooters, motivated by political cause or mental illness, run amok, determined to kill in quantity. Therefore, an attack carried out by one or a small number of attackers armed with readily available weapons, nothing exotic, perhaps causing scores of casualties, was certainly not inconceivable.

I mention that now because the threat we face is not so much one of organizations penetrating the United States as it is of the spread of ideologies and models of behavior. And that is what we are talking about here, models of behavior. It is noteworthy that the only terrorist attackers to succeed in harming anyone in the United States since September 11, 2001, have been lone gunmen.

Now, at a glance, Major Hasan's rampage at Fort Hood looks a lot like what used to be called "going postal"—a deepening sense of personal grievance culminating in a homicidal rampage directed against co-workers, in this case, fellow soldiers. For Major Hasan, "going jihad" reflects the channeling of obvious personality problems into a deadly fanaticism.

We must wait for a full inquiry to thoroughly understand Major Hasan's motives, his preparations, his objectives, but on the basis of what has been reported in the news media, we clearly have a troubled man who engaged with extremist ideologies via the Internet that resonated with and reinforced his own anger, leading him at some point to a decision to kill.

The markers on his path to the November 5, 2009, slayings correspond to many of those laid out in previous studies of radicalization, notably, the excellent study by the New York Police Department.

If some of the signposts are missing, it is because, except for Major Hasan's reported correspondence with al-Awlaki, his journey may have been largely an interior one.

[1] The prepared statement of Mr. Jenkins appears in the Appendix on page 72.

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I mention signposts. Were there signposts? Clearly, there seemed to have been some. Mass killings like the one at Fort Hood invariably prompt the question, could it have been prevented? I am going to join the other members of the panel and say that it is premature for me, on the basis of what we know now, to make that judgment. I do have to say that experience has taught me to be exceptionally cautious in this domain. I know that, seen through a rearview mirror, a lot of these clues seem tantalizingly obvious—if only we had been able to connect the dots. That famous phrase sometimes seduces us into overestimating what is knowable, especially in the realm of human behavior. We are just not very good at predicting human violence. We do not have an X-ray for a man's soul.

I do, however, think that a very useful line of inquiry, separate from the specifics of this case, would be exploring the issue of self-radicalized individuals. Much of what we say about radicalization derives from looking at groups. Individual terrorists lie at the edge of our knowledge here, implying perhaps a need for the capabilities of both forensic psychology and radicalization theory. It would be useful to explore what we should be looking for here and, just as importantly, what we can reasonably expect to know.

Senator Collins, you mentioned a shortage of psychiatrists in the military. Let me offer an aside here. The long duration and the nature of the conflicts we confront today create exceptional challenges to members of our armed forces. The stresses are showing up in the form of breakdowns, suicides, sometimes homicides. Now, mark my words, this by no means excuses Major Hasan's acts. It does suggest, however, that we are going to have to be extraordinarily sensitive to the mindset, the morale, and the mental well-being of our men and women in uniform upon whom we have placed such a great burden.

Now let me shift quickly from Major Hasan to this event in the context of the current terrorist threat.

According to research at RAND, the number and geographic range of al-Qaeda-inspired attacks have grown each year since September 11, 2001, although clearly at the same time there has been a decline in the quality of these actions. Some analysts say that al-Qaeda is following a strategy of "leaderless resistance" as a consequence of the relentless pursuit to which we have subjected it.

Leaderless resistance envisions an army of autonomous terrorist operatives, united in a common cause but not connected organizationally. It is difficult to destroy a leaderless enterprise, but leaderless resistance is ultimately a strategy of weakness. As I say, we have greatly reduced al-Qaeda's operational capabilities. And outside of Pakistan and Afghanistan, its leaders can do little other than exhort others to violence.

What leaderless resistance does offer is the opportunity for terrorist leaders to assert ownership of just about every homicidal maniac on the planet. And therefore, it is not surprising that Major Hasan's Internet imam was quick to praise the Fort Hood murders as another jihad success.

Since September 11, 2001, authorities in the United States have uncovered nearly 30 plots to carry out attacks here in the United States or abroad or to provide support for terrorist organizations. Not all of these, even if undiscovered, would have resulted in suc-

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cessful terrorist attacks, but I do remind you that very little separates the ambitions of terrorist wannabes from deadly terrorist assaults. The essential ingredient is intent, and that is what we are talking about here. Therefore, domestic intelligence collection remains a necessary and critical component of homeland security.

Mr. Silber mentioned the plots discovered in 2009. We have had eight plots discovered thus far this year, plus two actual attacks—the one in Arkansas and the one at Fort Hood. This is a much higher number than in previous years. There appears to be common inspiration. There is no evidence of organizational connection between these events. These are individual responses to jihadist propaganda in the context of U.S. policy decisions that portray what we do as an assault on Islam.

Six of the plots since September 11, 2001, have been directed against American soldiers or military facilities in the United States, and, again, this reflects jihadist exhortation as well as the plotters' own perceptions that attacking military targets is more legitimate than attacking civilians—although I hasten to point out that the majority of the plots were aimed simply at causing mass civilian casualties, especially in public transportation venues.

What does this case tell us about the radicalization of Muslims in America? Here I join you, Senator Lieberman, in saying we have to be careful about overreaction. In all of these 30-some plots, about 100 individuals who were arrested for terrorism-related crimes, almost all of them recruited locally. It does show that radicalization and recruitment to terrorism is occurring in the United States and is a security concern. It has, however, yielded very few recruits. Indeed, the paucity of significant terrorist attacks since September 11, 2001, suggests not only intelligence and investigative success, but an American Muslim community that remains overwhelmingly unsympathetic to jihadist appeals.

What authorities are going to confront going forward are tiny conspiracies or the actions of individuals which, in a free society, are always going to be hard to predict and prevent.

Chairman LIEBERMAN. Thank you very much. Excellent background, excellent context. And you are right, the record shows that the number of Muslim-Americans involved in these plots is quite small. Obviously what is unsettling is that a small number of people can do terrible harm. But it is very important to put that small number in the context of the larger Muslim-American community, which obviously is not a part of this.

We are going to have 7-minute rounds of questions for the Members of the Committee.

I want to quickly focus on something in your testimony, Dr. Jenkins. After the murders at Fort Hood and information began to come out about Major Hasan, there was commentary that he was obviously an unstable person, a person under stress and, to some extent, going from that to a willingness to conclude that this was not a jihadist act or a terrorist attack.

You comment on that in your prepared testimony, and I just want to draw you out on it. My conclusion from your testimony is that the existence of mental stress or instability does not mean that the act carried out is not a jihadist or terrorist act. Is that correct?

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Mr. JENKINS. Absolutely. These are not mutually exclusive categories. In many cases, individuals who are terrorists were attracted to these extremist ideologies because of their own personal difficulties and discontents. I mean, terrorism does not attract the well-adjusted.

Chairman LIEBERMAN. Absolutely. That is the point.

Mr. JENKINS. So what often happens in these cases is that individuals who are angry at something reach out toward some ideology that, as I say, resonates with and reinforces that and channels them down a path toward a particular action.

So if we find, for example, that there are many aspects of Major Hasan's personality that are troublesome, that this was a man in some type of personal crisis, that clearly does not exclude his act from being properly labeled an act of terrorism.

Chairman LIEBERMAN. Thank you.

General Keane, I believe Mr. Zarate talked, quite correctly, about the premium we put in our country on free speech and where one draws the line between free political expressions, even if they are extremist, and actionable behavior of any kind. But I think in this case, we have to view that in the context of what it means to be in the U.S. military? And I wonder if you could just help us understand, particularly in light of the concerns that Ms. Townsend expressed, that others have expressed, that we have been concerned about, whether some fear of being politically incorrect inhibited earlier action against Major Hasan by those who had heard him express extremist views.

So does a soldier have the right to say anything he wants to say without any consequences?

General KEANE. Absolutely not. Certainly free speech is an integral part of the rights of Americans, but in the U.S. military, not too surprising, the mission comes first. And to be able to perform that mission, you need in a team cohesion, morale, discipline, and good order. And anyone who is contributing to break that cohesion and that moral and good discipline and order with rhetoric, with speech, with actions, with behavior, can be held accountable by the chain of command for that speech, for that behavior, and, therefore, be counseled and rehabilitated for it, and that if there is such an unwillingness to change or such a commitment to those beliefs, then be separated for it, all of this short of any criminal behavior.

Chairman LIEBERMAN. Right.

General KEANE. As some of the panelists discussed. A military unit cannot function and perform its mission under considerable stress without the necessary cohesion, morale, good order, and discipline, it has confidence in each other. When this speech starts to occur, this inflammatory speech that aggravates other members of the team, it polarizes a unit. It differentiates people in the unit. It forces them to choose sides. And that is where the commanders and the supervisors have to step in and start to address this issue. Regardless of people's sensibilities, the order and planning and morale of the unit takes priority over those sensibilities. That is the reality of the military and its mission and what the American people are holding us accountable for.

Chairman LIEBERMAN. Agreed. What then is the responsibility of an individual soldier who hears a fellow soldier express political

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views that he deems are extremist? In the case in which you were involved at Fort Bragg, they were white supremacist views. What we are worried about here, obviously, is violent Islamist extremist views. But what is the responsibility of a soldier to report up the chain of command such observations?

General KEANE. Yes, the members of the team have an obligation to identify and report to the chain of command any of this type of extremist behavior, rhetoric, etc. That was clearly one of the problems we had at Fort Bragg inside our units. It was being tolerated by the soldiers and also being tolerated by the immediate chain of command to a certain degree.

It is unclear in my mind that we have in the military today and in our army units clear, specific guidelines as to what is jihadist extremist behavior.

Chairman LIEBERMAN. Right.

General KEANE. How do you identify this behavior? How does it manifest itself?

I think that is one of the things that this investigation will probably determine, as I said in my remarks, and I believe that the Department of Defense will more than likely have to issue some very specific guidelines, as we had to do after the racially motivated murders and the skinhead extremism we had in our midst in the 1990s.

Chairman LIEBERMAN. So we will definitely pursue that, and that may be an area of recommendation for us. But to the best of your knowledge now, does existing army policy about extremism generally prohibit extremist activity or is it more focused based on the Fort Bragg case on white supremacist activity?

General KEANE. The Army pamphlet that was published in 2000—it is titled "Extremist Activities"—driven by the Fort Bragg incident, deals with racial extremism, period. That is its focus. It is under the general capstone of an Army policy that has a much broader focus than that. But I think the pamphlet was designed to give the commanders and the chain of command some specifics in terms of how to deal with this problem given that particular incident.

So what we are dealing with here now, in my view, dealing with jihadist extremists potentially—certainly preliminary evidence would suggest that—those kinds of guidelines in terms of defining that and how to deal with that as a specific case in that behavior and that attitude and that rhetoric are not in the hands of our commanders.

Chairman LIEBERMAN. If our investigation finds that is true—and I suspect it is—that is a real omission and an area for correction, particularly in light of the record that other witnesses have testified on the way in which jihadists or people are actually being self-radicalized or radicalized over the Internet, are being exhorted to attack the American military on bases, not just abroad but here at home. My time is up. Thank you, General.

Senator Collins.

Senator COLLINS. Thank you.

General let me pick up where the Chairman left off. I have the pamphlet on extremist activities that you just mentioned, and I commend you for taking strong action after the racially motivated

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murder at Fort Bragg. As I read through this pamphlet, however, the types of conduct prohibited in the policy manual really do not apply in the case of Major Hasan. Would you agree with that?

General KEANE. I absolutely would agree. The pamphlet, as pamphlets are in the hierarchy of information provided to our leaders and our units, normally deals with something that is very specific as a result of a particular action under the umbrella of a general policy. That is what that was designed to do. We do not have anything like that dealing with Major Hasan's incident and his behavior and his attitude and what should be the actions that guide the leaders and also guide our soldiers.

Senator COLLINS. That is my conclusion as well. The prohibited activities that are listed in this manual are all geared toward organized activities. They really do not apply to the kind of lone-wolf conduct that we saw with Major Hasan, and I agree with the Chairman that this is an area that we need to pursue.

Ms. Townsend, there has also been discussion this morning and previously about Major Hasan's First Amendment rights, and I want to pursue this issue with you. Both the Foreign Intelligence Surveillance Act (FISA) and the Attorney General's Guidelines prohibit collection based solely—and that is the important word, in my view—on activities protected by the First Amendment. And these restrictions were adopted to prevent abuses that occurred in the past where Federal intelligence and law enforcement agencies targeted individuals based solely on their political activities. And no one wants to see that.

I am concerned, however, by reports that our Federal law enforcement and counterintelligence agents may have backed off from further inquiries into Major Hasan's activities based on concerns about his First Amendment rights.

Do the restrictions in FISA or in the Attorney General's Guidelines in any way prohibit investigations if there are other reasons to do so? In other words, to give you a specific, wouldn't the fact that Major Hasan had been in repeated contact with a radical extremist Islamist cleric who was a known associate of al-Qaeda terrorists be a reason to pursue an investigation?

Ms. TOWNSEND. Senator Collins, I agree with you completely. To the extent that there would have been concern of infringing on Major Hasan's either right to free speech or his freedom to practice his religion, there were other factors to which you could point beyond that having nothing to do with his religion or his speech that could have caused concern. While it is not public, from the content of those communications, and now what we are hearing from his other colleagues up at Walter Reed, any combination of those factors, as long as it was not based solely on his exercise of his constitutional freedom, could have formed the basis of further inquiry and investigation by the FBI.

Senator COLLINS. So if we are being told that one reason this was not aggressively pursued was concerns that it would violate the FISA restrictions or the Attorney General's Guidelines, you would disagree with that decision based on what you know?

Ms. TOWNSEND. Based on what I know now, yes, I would disagree with that. And, frankly, this is, Senator, why I mentioned my concern about political correctness. I think we have to ensure that

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our investigators feel sufficiently backed up, if you will, to follow the facts wherever they lead them. And if the facts lead them to an investigation of a senior member of the uniformed military who happens to be a Muslim doctor, then that is where they lead them. But they have to feel confident that they can pursue the facts wherever they take them against whoever the target may be.

Senator COLLINS. And the other very important point that you made in your testimony is while the members of the JTTF are prohibited from sharing information with their home agency without permission of the FBI, not only can they ask permission, but presumably the FBI could direct a referral to the Army or the DCIS. Is that correct? It goes in both directions?

Ms. TOWNSEND. That is right, and I think the best way to explain this to folks is by example. Imagine if you had an intercept that was not of a Federal crime. Perhaps it was a rape. Perhaps it was child abuse. Suppose you had that sort of information come over a wiretap into the JTTF and the local police officer did not say, "Can I share it?" Presumably, the Good Lord willing, somebody paying attention on the JTTF would say, "This needs to be shared with local authorities to either prosecute a crime or to protect a child in my example.

And so, absolutely, my view of this is all members of the JTTF have an obligation when they see information—the NYPD has a public program. It's called "See It, Say It." Certainly if it passes you, just because it is not in the jurisdiction of your particular agency, doesn't relieve you of the fundamental law enforcement obligation to follow it up.

Senator COLLINS. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

I just want to say very briefly, in Connecticut, some years ago we had a case just as you describe, unrelated to terrorism, where a local official was being investigated for corruption, and wiretaps picked up the fact that this local official was involved in basically sexual abuse of children. And it went right up to the Attorney General at that time to determine whether he should be arrested for those acts of abusing the children. And, of course, the correct judgment was made, which was that the corruption investigation was forgotten and he was arrested, convicted, and is still in jail for those crimes.

As is our custom on this Committee, we call on order of arrival, so the order, for the information of my colleagues, is Senators Carper, McCain, Ensign, Levin, Graham, McCaskill, and Pryor. Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thank you, Mr. Chairman. To our witnesses, thank you very much for joining us today and for the time that you have invested in preparing for your testimony and responding to our questions.

Mr. Chairman, this testimony has been both illuminating and, I believe, most constructive.

I want to return to the testimony that Mr. Zarate gave us, and near the end of your testimony, you quoted—I did not catch it, and I tried to find it in your statement who actually said these words—

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I believe it was a Muslim leader who said something to the effect, "we, the Muslim-Americans, are the defining answer." Do you remember that?

Mr. ZARATE. That is right, sir.

Senator CARPER. Just go back with us and revisit that comment, please.

Mr. ZARATE. Right. This comment comes from Salam al-Marayati, who is the Executive Director of a group called the Muslim Public Affairs Council, an important group. He is based in Southern California, and soon after the Fort Hood attack, he posted on Huffington Post what is, in essence, an op-ed. And as I described it, he called it a defining moment for American-Muslims, which was to, in essence, own our own destiny and fundamentally deal with terrorism in our midst.

What I found incredibly important was—and this is based on my experience both at Treasury and at the National Security Council (NSC), having interacted and engaged with Muslim-American leaders and community members for some time on these issues of terrorism—the realization and the articulation about the importance of the battlefields and the front lines in the mosques, community centers, and youth associations. I think that is an incredible statement by Salam. I think it is an important realization that Muslim-Americans have to take ownership of the ideological battle happening within Islam itself and have to find ways of isolating those who are radicalizing our youth and getting into the heads of American citizens.

Senator CARPER. Thank you. Of all the comments that were given by witnesses, that one just jumped right off the page at me. And I just wanted to ask each of our witnesses to respond to what you heard here.

We are a legislative committee. We are not the FBI. We are not the Justice Department. We are not the judge; we are not the jury. We are a legislative committee. And one or two of you have given us, I think, pretty good advice on some things we may want to do legislatively, and I suspect that we will want to do most of those things. But in terms of what responsibilities the Muslim community in this country have, what they can do to help the rest of us to try to make sure this kind of thing does not ever happen again, we have heard one piece of advice here, and I just want the other witnesses to respond to that and share your views, please.

General KEANE. Well, my reaction to that is certainly one of encouragement, and I certainly praise them for making those remarks. In the largest context of what we are dealing with in terms of the challenge inside Islam between the radicals and the moderates and traditionalists, and many of those are moderates themselves, it is hard to see defeating radical Islam itself without the willing cooperation of the moderates to reject it. I mean, we are going to kill a lot of these radical Islamists over the next coming years, just as we have done over the last 8 years. But as we all know who have been involved up close in this fight, the fact of the matter is that killing them will not defeat this movement. This movement will have to be defeated by moderate Muslims who reject it.

Senator CARPER. Good. Thank you. Ms. Townsend.

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Ms. TOWNSEND. As you know, Senator, most Muslim-Americans are patriotic, law-abiding citizens, and, in fact, while very few actually speak publicly—and I will explain why—many cooperate quietly with local law enforcement and Federal law enforcement, and we will not be successful without that continuing, and that is to be commended.

Oftentimes, moderate Muslims are reluctant to speak out because the radicals label them—the word is called "takfiri," and that is "un-Islamic"—and separate them from the larger ummah of the Muslim world. And it is both discouraging to them and frightening to moderate Muslims and intimidates them from speaking out. And we have to understand that is the environment they live in, so there are few who have got the sort of courage to speak publicly, but we do not want to discourage them from privately and quietly cooperating with Federal and local officials.

Senator CARPER. Thank you. Mr. Silber.

Mr. SILBER. I think the question is in terms of what are the ways to combat extremism and what role does the Muslim community play, we are informed by our discussions with intelligence officials in the United Kingdom, Denmark, and the Netherlands who have had to deal with this problem in a magnitude greater than we have to date in the United States. And, clearly, their response is right along the same lines as that. At the end of the day, it is going to be the members of the Muslim community themselves who have to de-legitimize this as an ideology, and the challenge is for those governments and local entities to find willing interlocutors to help them de-legitimize that ideology.

Senator CARPER. All right. Thank you. Mr. Jenkins.

Mr. JENKINS. I would just underscore what Ms. Townsend said. I think it is important for Muslims to speak out publicly, but also there is evidence of a great deal of quiet activity going on within the community. We are talking about people attempting to ensure that their own family members, friends, and colleagues do not go down destructive and self-destructive paths. So there is a great deal of pressure in the community against this type of activity.

Senator CARPER. All right. I said earlier we are not the FBI, we are not the Justice Department. We are none of those things. We are a legislative committee. Several of you have suggested things that we should be doing legislatively to reduce the likelihood that this kind of horrific thing will happen again in our country—or outside of our country. A couple of you made those legislative recommendations. Just go back and revisit those, re-emphasize them for us, please.

Mr. ZARATE. I had made the suggestion, Senator, of making sure that law enforcement and intelligence authorities have the relevant legal authorities to be able to investigate domestically because, again, what we are talking about in this context—and this has been described by the panelists—is a very difficult problem to ferret out, especially when you are talking about a lone-wolf scenario. And so it becomes incredibly important for authorities to have not only the legal backing, structures, and procedures, but also then the resources.

One of the key questions, I think, for the FBI will be: To the extent that there are additional pressures to try to ferret out these

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types of actors and events, do they have the resources to cover these types of events, to follow up on the kinds of communications and leads that may exist, where there may be thousands of communications with a figure like an Anwar al-Awlaki from the United States. And so that I think is a critical question moving forward in addition to others I have presented.

Ms. TOWNSEND. Senator, the two that I would focus on, one has to do with—this is my pet issue, as Senator Collins knows—the information sharing and the rules. Sometimes we make them too cumbersome that it is just discouraging. It is not that it is not permitted, but the rules become so cumbersome that they are discouraging, and so people do not do it. And I think the Committee has a real opportunity to look at things like the restrictions pursuant to FISA, the restrictions in the Attorney General's Guidelines, and the FBI's own internal guidelines. All taken together, it may be that just discouraged people from doing what they really needed to do.

Then the second piece to that I really think is the U.S. military, it does not look like the Army got the information that they could have acted on within their system. I would not stop there. I think we have got to look at whether or not the U.S. military, if they had gotten the information, had the training, tactics, procedures, resources, and business process to ensure that they identify and deal with these things effectively.

Senator CARPER. Thank you again very much.

Chairman LIEBERMAN. Thanks, Senator Carper. Good questions and very constructive answers.

Senator McCain, thanks for being here. You are next.

OPENING STATEMENT OF SENATOR MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman. Thank you for holding the hearing.

I would like to ask the witnesses, do you believe that the attack on Fort Hood was an act of terror?

General KEANE. In my mind I do, based on the preliminary reports and what Major Hasan was screaming at the time of the act and his behavior and attitude prior to that. Just based on that preliminary report. Certainly investigations will confirm what his motivations are, but what is in front of us right now, I do.

Ms. TOWNSEND. Senator, when you look at just the basic English dictionary definition of "terror," which is the use of violence to instill fear and intimidation, I think it is hard to imagine that this was not an act of terror. I think what remains to be seen from the investigation is whether or not this is an individual bent on terrorizing or whether he is part of some larger conspiracy. But I do think it is an act of terror.

Mr. SILBER. From the New York City Police Department's perspective, this is an ongoing investigation run by other agencies, so we are not going to prejudge their findings.

Senator MCCAIN. Well, I asked your opinion, not your findings. If you do not want to voice your opinion, that is fine with me.

Mr. Zarate.

Mr. ZARATE. Senator McCain, it certainly looks like an act of terror to me. I think for the technical definition under U.S. law, the

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question of political motivation behind the attack is going to be central, obviously, to determining whether or not you can legally classify it as such. But I think it looks like an act of terror to me.

Senator MCCAIN. Mr. Jenkins.

Mr. JENKINS. Terrorism is defined in the quality of the act, and certainly the act itself, I think, meets the criteria of an act of terrorism. Under a legal definition, in terms of the law, Major Hasan is charged with 13 counts of murder, and that is appropriate. We do not need to reach into the criminal statutes to find the word "terrorism" to prosecute him. We have charged him with an ordinary crime, and that is good enough.

Senator MCCAIN. Thank you. Let me just briefly review what we do know. We know that Major Hasan had communications with a Yemeni-American imam. We know that the FBI had some knowledge of this and reviewed certain communications between Major Hasan and the subject. That investigation asserted the content of these communications was consistent with research being conducted by Major Hasan in his position as a psychiatrist at the Walter Reed Medical Center. There are allegations of communications with other extremists; a Web posting advocating suicide bombing; possibly him, an individual named Major Hasan wrote a post on the Web site that favorably compared an American soldier jumping on a grenade to save the lives of his fellow soldiers to suicide bombers; extremist activities at Walter Reed; and that Major Hasan antagonized some students and faculty by espousing what they perceived to me extremist Islamist views; and, of course, the most notable is his activities while working at Walter Reed was a medical presentation to fellow students where he included statements such as, "We love death more than you love life," and "Fighting to establish an Islamic state to please God, even by force, is condoned by Islam."

General Keane, the military is most sensitive of any organization I know to any taint or allegation or impression of being discriminatory, which is appropriate. Do you think that political correctness may have played some role in the fact that these dots were not connected?

General KEANE. Yes, absolutely. And also I think a factor here is Major Hasan's position as an officer and also his position as a psychiatrist contributed to that because of the special category in the military I think someone who is operating as a clinician every day treating patients is in. It is an individual activity versus a group activity, which provides considerably more supervision in squads, platoons, companies, and the like inside our units. So there is no doubt in my mind that was operating here.

But, in fairness to many of the people who are associating with him, based on what preliminary research I have done and I think what the Committee is doing, I think we are going to find very clearly that we do not have specific guidelines on dealing with jihadist extremism in terms of the obligations of the members of the military to identify it, report it, and what actions to take and what constitutes jihadist extremism itself.

So you take some of this burden away from people by having those guidelines, and when you have those guidelines in place, you are clearly saying to the institution that this is important to us, we

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are not going to tolerate this kind of behavior, and we want to identify it immediately to try to curb the behavior through counseling and rehabilitation, and, if necessary, separate that individual from the service if it cannot be curbed.

Senator MCCAIN. I have talked to military officers who have stated that they, at least up until now, have had a significant reluctance to pursue what may be these indications because of this political correctness environment. Have you heard the same?

General KEANE. Well, I know it exists, no doubt about it, and what I am trying to say is that the way to deal with that—it should not have to be an act of moral courage on behalf of a soldier to report behavior that we should not be tolerating inside our military organizations. It should be an obligation.

The way to make that an obligation is provide very specific guidelines through the chain of command as to what their duties are in regards to this issue. That begins to take this issue off the table because the institution is speaking clearly in terms of what its expectations are and what it will tolerate and what it will not tolerate.

Senator MCCAIN. And perhaps err on the side of caution instead of erring on the side of correctness.

General KEANE. Yes, absolutely, Senator.

Senator MCCAIN. Ms. Townsend.

Ms. TOWNSEND. Well, as I mentioned in my testimony, I have the same concern that you have articulated in the U.S. military and the law enforcement community. We have invested lots of time and effort in the post-September 11, 2001, world to ensure that people understand we are going to provide people First Amendment protections in their freedom and practice of religion.

I do fear that because this was a senior member of the uniformed military, there was a reluctance to proceed, and I think that this is an area that the Committee should and ought to investigate and uncover in terms of our law enforcement system that we cannot allow them to be reluctant to follow the facts just because they are afraid that they are going to be criticized for not being politically correct.

Senator MCCAIN. Mr. Silber.

Mr. SILBER. In the NYPD, if we had a concern like that, it would be forwarded up the chain of command as well as to the Department of Internal Affairs for investigation.

Senator MCCAIN. Mr. Zarate.

Mr. ZARATE. Senator, given my experience with the FBI, I do not think there would have been a sense of political correctness with respect to the ethnicity or religious beliefs of the individual. This is my assessment based on what I know. I think his status in the military, the fact that he was a medical doctor, the fact that he was engaged in research with respect to potential conflicts in the minds of Muslim soldiers, that may have affected the judgment of the FBI in this context and much less a question of his ethnicity or beliefs.

Senator MCCAIN. Well, if they believe that those kinds of e-mails that they detected were a part of research which advocates extreme Muslim activity, at least I would find out what kind of research is going on. Frankly, I have never heard of such research. So I am kind of skeptical about your answer. Go ahead, Mr. Jenkins.

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Mr. JENKINS. I do not think religion is an acceptable basis for any group being stigmatized, but religion provides no shield against any legitimate inquiry and therefore should not have inhibited an appropriate inquiry.

Let me, however, underscore a point made by General Keane which I think is important here. My military experience is in combat units. In a combat unit, actions like Major Hasan's, attitudes like his, would be picked up much faster than in the individual professional activity of a psychiatrist even though in military service.

Senator MCCAIN. I thank you. I thank the witnesses.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks, Senator McCain. An important exchange.

I want to add just this. After the Fort Hood massacre, I received a call from a friend of mine who is a high-ranking officer in the Army, just to confirm what you said, and also basically to go to your point, that we have great respect for diversity of religion, but it should not be a cover for bad behavior. And this officer said to me that, "If the Army and the rest of the services make clear that Islamist extremist behavior is not tolerated and you have an obligation to report it right away, you will be doing an enormous favor to all the other Muslim-American soldiers who serve under me because without that," this officer said to me, "I worry that the non-Muslim soldiers are going to have hesitation to have what we have to have in combat, which is blind trust in one another."

I think it is a really important point, that insofar as we focus on the extremists, we are actually going to be doing a favor to everybody else of that particular religion who is in the military and helping military cohesion.

Senator Ensign.

OPENING STATEMENT OF SENATOR ENSIGN

Senator ENSIGN. Thank you, Mr. Chairman. I think this hearing has been important for a lot of different reasons, and some of the issues you just articulated I think are definitely some of them.

This whole idea of political correctness, whether that is political correctness due to an officer, whether that is political correctness of somebody's particular religion, I am curious, Mr. Silber, when you said we would refer up the chain of command, what if that chain of command—in other words, what if you had a high-ranking officer in the New York City Police Department, you discovered that person happened to be of the Islamic faith and was having contacts with one of these radical clerics, one of these imams over in Yemen, what would be done at that point in the New York City Police Department?

Mr. SILBER. If no action was taken, I would then take it up to the deputy commissioner level.

Senator ENSIGN. Ms. Townsend, you talked about the obligation to share with the Joint Terrorism Task Force, and I think that is important. Does that happen with the military today? In other words, would they share that information with the military? Or is it just other law enforcement agencies?

Ms. TOWNSEND. What happens is on the Joint Terrorism Task Force, the Defense Criminal Investigative Service (DCIS), sits on it.

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And in this instance, my understanding is the information came to the JTTF, was shared with the Defense Criminal Investigative Service, but the memorandum of understanding (MOU), as well as perhaps FISA restrictions, would have prevented the DCIS agent from sharing it back to the Army and DOD, the Pentagon, without permission. Depending on where the information came from, they would have——

Senator ENSIGN. But you said that permission is pretty easy to get.

Ms. TOWNSEND. They can get it. That is right. And what this sort of suggests to me is that the assessment on the JTTF was that they did not view it as a close call. They looked at these communications. They looked at, in my understanding, the personnel file. There was no derogatory information. And so they saw no reason.

Now, I think over time, as more information comes out, the Committee will be in a better position to judge whether or not that was the right judgment. But mechanisms certainly did exist if there was a desire on the part of the JTTF or the Defense Criminal Investigative Service to share that back with DOD.

Senator ENSIGN. One of the concerns that I see here is, we heard about the silos pre-September 11, 2001, and some of the statements that he allegedly has made, talking about, in one instance when Colonel Terry Lee said that he heard him say that maybe people should strap bombs on themselves and go to Times Square in New York, the contacts with the imam. Are those silos still in place where you hear this over here or you hear something else going on where that information is not being shared? Do those still exist?

Ms. TOWNSEND. To be fair, I think tremendous progress has been made in terms of information sharing, and I think when we see that there was collection and it came into the JTTF, that is an indication that we have made a lot of progress in that area.

Based on what I have read publicly—because, of course, we do not have all the facts yet—it is not clear to me that the information from Walter Reed and his colleagues that would have been in the personnel system ever made its way into the personnel file. And if that is the case, that means the JTTF and the DCIS agent, when they had the communications and would have looked at the bare record of the personnel file, if there was no derogatory information in it, they were at a disadvantage. And we have to fix that system. If there was information inside the military, it needed to make its way into a format where it could be shared.

Senator ENSIGN. I see. General Keane, I think you have brought up some of the most important testimony today as far as fixing this going forward, and it sounds like this obviously should have been in place, as very simple as what the New York City Police Department has as far as their policies and procedures. Going forward, I think what Senator Lieberman talked about, if these policies and procedures are in place, it does take pressure off somebody in the future, if they know they are obligated to report. Let us say that you have somebody who is a Muslim who feels that, "Gee, should I report this or not? Maybe I am going to be stigmatized. I do not know whether I should report it." Now they have an obligation. That actually, I agree that protects them, and so I think that was very important.

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I want to go back to something, Ms. Townsend, you said that is a little bit disturbing in the general Islamic community, when you say there are moderate Muslims out there, and they feel like they would be stigmatized, they would be kind of set apart. It would seem to me, getting back to what Mr. Zarate said as far as the obligation of the Muslim-American community, they have an obligation to stigmatize, to separate those who are radical, so that somebody who is moderate in their views feels like they can come out and condemn. That would seem to me the overarching obligation of the Muslim-American community, to not let the radicals control their community in such a way that if you feel like you are being a loyal American, you are actually disloyal to the Muslim community out there.

Ms. TOWNSEND. Senator, you and I do not disagree, I do not think.

Senator ENSIGN. And that you were just reporting the facts.

Ms. TOWNSEND. That is exactly right. I am simply telling you that, based on my experience, this is a continuing challenge to law enforcement community, that is, to encourage moderate Muslims to speak out. And I suppose my only suggestion is we ought to take some heart and some reassurance in the fact that there are many patriotic, law-abiding Muslim-Americans who actually, while they are not speaking out publicly, do what they can to stigmatize those who have radical extremist beliefs, bring them to the attention of local and Federal law enforcement, and weed them out of their communities before they can do harm. And for that, we are very grateful.

Senator ENSIGN. Well, I think this panel, all of you, have had some excellent testimony today, have given us some direction, but probably have given others in the military even some further direction to go as well. And we need to renew some of the tools, obviously, for law enforcement and maybe make some of the tweaks that you all have suggested to make that information sharing a little less cumbersome so it will be done a lot more as well. So I thank all the witnesses for your testimony today.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks, Senator Ensign. Thanks very much. And, there are obviously lessons here that relate to this particular case for behavior of employees of the Department of the Army, the U.S. military generally, and the Department of Justice. But there are broader implications for society and particularly in these lone-wolf cases, which are the hardest, as our witnesses have said. When people hear people saying things that seem extreme, respecting First Amendment rights, you have to begin to reach out and see if you can stop somebody before they do something very harmful.

Senator Levin.

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. Thank you, Mr. Chairman.

There is already a great deal in the public record about Major Hasan that raises concerns about the adequacy of our law enforcement, about whether the military acted on the information that was not only available to it, but was, in fact, noticed and com-

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mented upon in some of Major Hasan's Department of Defense records.

The Senate Armed Services Committee's investigation in this matter is going to focus on the military and any connections of JTTF to the military. Our investigation is going to be carried out in a way that is consistent with the essential need to avoid jeopardizing the criminal investigation into this attack by Major Hasan. And I think this Committee has been careful and I want to commend the Committee and the witnesses who have been careful not to say something—particularly you, Mr. Silber, to avoid saying anything which could jeopardize the criminal investigation and the prosecution of this man. It is essential that we both investigate, correct where it is necessary, and hold accountable where it is necessary, but also that we prosecute without running into the defense that there has been a prejudgment by people who have either some kind of command authority or anyone else that is in law enforcement.

Ms. Townsend, your testimony, it seems to me, is right on point when you talk about the JTTF being encumbered or apparently being encumbered by some of its procedures. The memorandum of agreement—it looks like a contract, small print—between itself and the Department of Defense is 16 pages long.

Ms. TOWNSEND. That is right.

Senator LEVIN. It took 3 months for three people to sign that agreement. The way it was characterized just in April before a House committee by the Los Angeles County sheriff was that a local task force officer may not share information with his or her home agency without demonstrating the receiving entity's specific "need and right to know." That is not factual, I do not believe. You would agree, Ms. Townsend, that is not factual. But that is what a sheriff believed.

Ms. TOWNSEND. Right.

Senator LEVIN. And I am afraid there is too much of that feeling of restriction as to the reaching out potential for information that is in the JTTF files.

There is also a problem, it seems to me, from what we can tell in terms of the JTTF piece here, with the follow-up either into other agencies' records and back into JTTF, but perhaps within JTTF itself when subsequent information comes to its attention, in particular. And I am wondering if you can quickly tell us, Ms. Townsend, whether or not you know that a JTTF, if it gets information in year one, has the ability—and, in fact, does—when it gets information in year four, to connect that back to the information that it had. Could you give us a really quick answer if you know the answer to that?

Ms. TOWNSEND. I think it is fair to say the possibility exists that they could put that together because there are records and communications involved, so it is possible and that information is indexed, and I think you have to look on an individual basis.

Senator LEVIN. Because there is some question as to whether, in fact, that did occur in this case.

Now, a number of witnesses have said that the fact of these investigations and the need for corrective actions does not impugn and should not impugn the contributions of the loyal Muslim-Amer-

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icans to our military and to our society. I think you all have said that, as have the Chairman, the Ranking Member, and others on this panel. The diversity of our Nation's military and of our Nation as a whole has been a great strength. It has been one of our most effective weapons against the fanatics of any religion who claim the right to murder those who hold different beliefs.

Mr. Zarate, you quoted a statement which I think is a very significant quote of a Muslim leader here both in terms of the responsibility of the Muslim community, and I share that. But you also point out that as a counternarrative, there is no more powerful weapon than the promise and the reality of the American dream with the opportunity for Muslim-Americans to be integrated, as have all other immigrants, into the American society.

I want to ask you to comment on a statement of Reverend Pat Robertson, who recently and very publicly asserted the following: That Islam is "not a religion but a violent political system bent on the overthrow of the governments of the world and world domination." And as to whether or not a statement such as that by a well-known American cleric makes it more difficult for moderate Muslims to make the argument and, indeed, whether that kind of statement really helps the enemy to radicalize people who would then commit terrorist acts against us. Do you have a reaction to that comment, Mr. Zarate?

Mr. ZARATE. Senator, I think I will just stand by what I said, which is the division of our society would be detrimental and would be the worst manifestation and effects of this violent Islamist extremist ideology. Islam is one of the great religions of the world, and I think at the end of the day it is going to be Muslim-Americans who help us to defeat this violent brand of it.

Senator LEVIN. But I want to press you on this question, because I think it is important that it be contested and that it be opposed for a major religious leader in this country to label Islam—Islam as a whole—as a violent political system bent on the overthrow of governments, it seems to me plays right into the hands of the extremists and the fanatics. It gives them the propaganda tool that they look for, and I would like to know whether or not you believe that is the case.

Mr. ZARATE. I do not think it is helpful, and I do think it plays into the radicals' ideology and narrative of the West, and the United States, in particular being at war with Islam. And so I do not think those kinds of statements are helpful.

Senator LEVIN. Does anyone else want to comment on this statement on the panel as to whether or not you believe that kind of statement is——

General KEANE. Yes, I would comment on it, Senator. I think it is an outrageous, irresponsible statement by a religious leader, it is full of discrimination, it is offensive to Muslims in general, and it no doubt inflames the situation and makes no contribution to what we are trying to achieve, and that is, a stable situation.

Senator LEVIN. Does anybody else want to comment on that? Ms. Townsend.

Ms. TOWNSEND. Senator, I agree completely with General Keane. I think it is offensive, it is ignorant, it lacks a basis in fact and knowledge. There is a very small extreme wing not only, by the

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way, of Islam, but there are extreme wings of other religions which are found to be deeply offensive to the vast majority of the believers of those religions, just as fundamental extremism is to Islam. The vast majority of people, Muslim or not, ought to take grave offense at this irresponsible statement and reject it.

Senator LEVIN. Anybody else?

[No response.]

Senator LEVIN. Thank you. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Levin. Thanks very much. Thanks for raising that last question. Of course, I agree not only was it outrageous, but as you said, it hurts our efforts to succeed in this conflict.

The other Senators who came earlier had to leave. If the witnesses can stand it, I think Senator Collins and I will do one more quick round.

Mr. Silber, I wanted to ask you some hypotheticals, if you would. If the New York Police Department was doing court-ordered surveillance of somebody in the city who was known to be involved in Islamist extremist activities, and as part of that surveillance came across a member of the NYPD communicating with that individual, what would the reaction of the Department be. Let us assume first that the communications were of a religious nature, not particularly inflammatory but, still, communicating with an individual who is known as an extremist. What would the reaction of the Department be?

Mr. SILBER. I think the Department would look at the nature of the communications because in the nature of the communications would give us an insight as to what the purpose of this interaction is. Obviously, any type of interaction between a member of the service and individuals who are being investigated just across the board would be something of concern and would get senior-level attention within the Department.

Chairman LIEBERMAN. Yes. Right, the simple communication with somebody who had a record of being involved in association with terrorism or terrorists would raise concerns and raise this up to a higher level within the NYPD.

Mr. SILBER. Yes, Senator. I think the two issues are the pedigree of the individual who has been contacted as well as the content of the communication.

Chairman LIEBERMAN. So I assume that if the content took a more extreme direction—in other words, let us say an officer in the NYPD was found communicating with this subject of an NYPD investigation and was expressing extremist views, and perhaps even suggesting the justification for violent actions in pursuit of extremist views, then I presume that would raise real alarm bells.

Mr. SILBER. Yes, and as I stated earlier, Senator, I think the process would be to reach out to our Internal Affairs Bureau to move that up the chain of command so that got the appropriate level of attention.

Chairman LIEBERMAN. Well, it would depend, I assume, what that would mean. In other words, I presume you would watch that person more carefully or take more aggressive action.

Mr. SILBER. Yes, I think we would need to understand, what that dot, in a sense, means in context. We would look at the radicali-

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zation process and say, is that an isolated interaction or does that fit into a larger continuum.

Chairman LIEBERMAN. Right. Now let us step back, and you have developed from your experience the four phases of radicalization. And to the extent you are able, based on the public record, I wanted to ask you if you would apply that framework to what you know about Major Hasan.

Mr. SILBER. Sure. Senator, I think Mr. Jenkins made a good point that when you are dealing with a lone wolf, an individual actor, to some degree they really are at the margins of the process that we have looked at and others have looked at. And, in fact, our study primarily looked at groups of individuals.

That said, we have looked at some of the preliminary information out there, and it is suggestive that he went through some type of radicalization process. I think the key questions to ask are look at his behaviors and see how those correlate through some of the phases and through some of the indicators that we have identified in the model.

Chairman LIEBERMAN. From what you know—I was interested in the concept you introduced of a virtual spiritual sanctioner—that is, somebody operating over the Internet. Incidentally, as I understand it, someone like al-Awlaki whom we have been talking about operates a public Web site with quite open expressions of exhortation to jihadist behavior. In other words, you do not have to have an authorized surveillance of his e-mails—and there are a lot of others like this—to conclude that this guy is at war and urging others to get at war. But I wanted to ask you whether from what you have heard of al-Awlaki, does that seem to fit into your vision of a virtual spiritual sanctioner?

Mr. SILBER. I think based on his pedigree going back to September 11, 2001, and also looking at what he has done more recently in terms of his Web site, promoting in English jihadist views, he is clearly an individual of concern. So I think the next question we would ask is: What was the nature of the relationship between him and another individual? The spiritual sanctioner functionally moves somebody down that pathway, and that really is the key question. Functionally, what was the relationship between him and another individual? Did he move that person down the pathway, encouraging him to move from, let us say, self-identification to indoctrination, or indoctrination to jihadization? And that I think is a key issue.

Chairman LIEBERMAN. Yes, it struck me also that we have to go into these e-mails. They are classified, of course, but there has been some description—and I cannot say whether it is based on fact or not—that this was part of Major Hasan's research, his reported communication with the subject of this investigation. But the choice of this recipient of e-mails says a lot, I think, about what Major Hasan was looking for. In other words, there are a lot of Muslim imams, authorities, and scholars that he might have communicated with as part of research or even to ask personal religious questions. Doesn't it say something about him? And what I am getting at is that he may have been looking for spiritual sanctioning of what he is accused of ultimately doing.

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Mr. SILBER. Yes, Senator, I agree wholeheartedly with that view. I think who you reach out to for theological or doctrinal questions does give some indication to some degree to what message you are looking for.

Chairman LIEBERMAN. Just a final quick question. Mr. Zarate raises a question in his testimony about whether the U.S. military is doing enough to protect its bases in the context of the clear appeals by jihadist leaders to attack our military in their bases and now the evidence in the United States of this string of plots, fortunately most of them not successful, but tragically, the one in Little Rock and Fort Hood, successful.

General Keane, do you have any response to that? Is there more that we should be doing to protect the security of the bases generally, even in the United States, from terrorist attack?

General KEANE. Well, I think we dramatically changed the security on our bases post-September 11, 2001, for all the obvious reasons, and I am confident that the military goes through continuous reviews to ensure that force protection is of the rigor it should be.

The Fort Hood incident is so dramatically different because it comes from within as opposed from without, and in that problem lie the issues that we have discussed here. It is more up to the members of that organization within to deal with that issue than it is to guard at the gate or others who are dealing with force protection issues as associated with a military base. And certainly the other thing that goes hand in glove with this is cooperation with law enforcement agencies and intelligence services, in terms of stopping these incidents before they actually take place—and that is crucial and that is what has prevented certainly most of these incidents from taking place—is the tremendous work that law enforcement is doing in cooperation with other agencies. And that certainly has got to continue, and if we can improve the process, as Frances Townsend is suggesting, that will add to it as well.

Chairman LIEBERMAN. Well said. Thank you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Jenkins, we hope that one of the results of our investigation will be a new pamphlet on extremist activities that incorporates the lessons of this case. That still begs the question of what should the military do when it identifies a soldier who is embracing radical views, extremist views. We know, due to the good work of the NYPD, about the four stages of radicalization, and it is possible that intervention at an early stage could make a difference and could lead to something short of discharging the individual from the service.

In 2007, when you testified before Congress about jihadist radicalization and recruitment, you talked about the possibility of countermessaging. I would like to ask you today whether you see opportunities for the Army to intervene at stage one of the radicalization process to try to help some members of our military get back on track.

Mr. JENKINS. I think it is important that we look at this in the context of military service. I mean, to be quite honest with you, Senator, when I was in the military, I did not know, nor did I care what the religion was of the members of my unit. I dealt with them as individuals. What it said on their dog tags about their pref-

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erences for method of burial was something that did not concern me.

I think it is entirely appropriate, when an individual is displaying behavior that is inappropriate within the context of the military unit or is demonstrating behavior that is contrary to morale or suggests a destructive or a self-destructive path, that there be an appropriate intervention. And as I say, in many cases in a combat unit, that will be picked up fairly quickly, and there will be that appropriate intervention.

I think what we have to do is empower individuals so that they need not be shy about this—our understandable concerns about free speech, about protecting civil liberties, should not cause us to hesitate where there is clearly manifest behavior that is inappropriate, wrong, contrary, and so on.

In many cases, I think there is intervention. We know about radicalization only from those terrorists who have made it all the way through a terrorist act or an arrest. We do not have information about all of those who drop out along the way, and there are a lot who do drop out along the way or are counseled along the way.

It will be interesting to know about the radicalization in the case of Major Hasan. He has been subjected to extraordinary scrutiny in the last couple of weeks because of this event. There are literally thousands of reporters who are picking up every statement that he made, every piece. That right now is chronologically flat, and one would really like to see, in order to compare it to what we know here as researchers, a chronology constructed here. When was he communicating with this imam? When was he making these statements? What were his actions over time? Can we see a trajectory and then at that point identify where there might have been a useful intervention?

Senator COLLINS. Thank you.

Mr. Chairman, let me just end my comments today by going back to the 9/11 Commission Report because it does appear to me that we did have—it is too early to say for sure, but that we did have a failure to share critical information, a failure to ask questions, to initiate an investigation, or at least an inquiry or an interview, and that the results were tragic, horrible consequences: A terrorist attack.

The 9/11 Commission reminds us—and I want to read from the report. "In the 9/11 story, for example, we sometimes see examples of information that could be accessed—like the undistributed NSA information that would have helped identify Nawaf al-Hazmi in January 2000. But someone had to ask for it. In that case, no one did. Or, as in the episodes we describe in chapter 8, the information is distributed, but in a compartmented channel. Or the information is available, and someone does ask, but it cannot be shared.

"What all these stories have in common is a system that requires a demonstrated 'need to know' before sharing. This approach assumes it is possible to know, in advance, who will need to use the information."

The point is that information must be shared with those that have the ability to understand the full context and take action. If you look at Major Hasan's presentations—there were two of them

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that I am aware of; one I have looked completely through—there are warning signs and red flags galore. If you look at his contacts with the radical imam, without revealing what those specific e-mails said, just the fact that he was seeking advice and communicating with a known al-Qaeda associate, when you start to put together all of the pieces of information, it reminds me very much of the siloed information that was available throughout the Federal Government in different agencies prior to the attacks on our country on September 11, 2001. And our challenge is to make sure that we have not allowed new silos to build up, that the JTTFs, which have been tremendous and have had a lot of successes, do not inadvertently become another silo where information cannot be shared without jumping through too many hoops. And that is our challenge, as we learn more through our investigation, to identify legal barriers, administrative impediments that may have blocked the sharing of information in this case, and to identify in our military whether we need better systems to encourage reporting, as the General put it so well, that it is no longer a moral act of courage but, rather, an obligation to report disturbing information.

That is what our investigation is aimed at, and, again, I want to thank the Chairman for initiating this very important investigation and to express my appreciation to all of you today for your forthright, candid, and expert testimony.

Thank you.

Chairman LIEBERMAN. Thank you, Senator Collins. It, as always, is a pleasure to work with you. We are going to conduct this investigation in the same thorough and bipartisan/nonpartisan way we have done everything on this Committee, including some controversial and sensitive investigations into Federal Government behavior prior to September 11, 2001, and also during Hurricane Katrina. I think you stated well what we have accomplished today.

I cannot thank the five witnesses enough for their testimony. I cannot imagine a better way to inform our investigation. You have brought your experience and considerable expertise to the table. You have helped us begin to understand how to best approach this. You have made some specific suggestions not just about questions to pursue in our investigation, but about reforms to initiate as a result of what we already know about Major Hasan and the murders that occurred at Fort Hood.

So I honestly cannot thank you enough, and I would like to take the liberty of keeping in touch with you as this investigation goes on. I also would invite you not to hesitate to initiate to us as you watch this occurring.

We are going to continue the investigation now. I hope we can conduct the investigation in the cooperative way that we have begun with the Executive Branch. It will inevitably now take a less public turn with a lot of interviews and reviewing of documents, and we will reconvene in public session when and if we think it is appropriate and constructive to do so, and then ultimately to issue a report and recommendations.

But you have done a real service not just to the Committee but I honestly believe to the homeland security of the people of our country. I thank you very much.

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The record will stay open for 15 days for additional statements and questions.

The hearing is adjourned.

[Whereupon, at 12:32 p.m., the Committee was adjourned.]

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APPENDIX

Statement of Chairman Joseph Lieberman
Homeland Security and Governmental Affairs Committee
"The Fort Hood Attack: A Preliminary Assessment"
Washington, DC
November 19, 2009

This morning, our Committee begins an investigation as serious and consequential as any it has ever undertaken.

An American soldier, Nidal Hasan, has been charged with killing twelve of his fellow soldiers and one civilian on an American military base in Texas, in what I believe, based on available evidence, was a terrorist attack.

The purpose of this Committee's investigation is to determine whether that attack could have been prevented, whether the federal agencies and employees involved missed signals or failed to connect dots in a way that enabled Nidal Hasan to carry out his deadly attack. If we find such errors or negligence we will make recommendations to guarantee, as best we can, that they never occur again. That's our purpose here.

We are conducting this investigation because we believe it is our responsibility to do so according to law and Senate rules. We are doing it both as the Homeland Security Committee, and over the long term, the Governmental Affairs Committee, which under the rules has a special responsibility to conduct oversight of Executive Branch actions, particularly, when, as in this case, there are questions about those actions.

We know it will be very difficult to fulfill our Committee's responsibility without the cooperation of the Executive Branch. Yesterday, I want to report, I spoke with Secretary of Defense Gates and Attorney General Holder and asked their cooperation in allowing the bipartisan staff of this Committee to interview relevant individuals in their departments and obtain relevant documents as part of this investigation of the murders at Fort Hood. Secretary Gates and Attorney General Holder both said they respected our authority to conduct such an investigation and wanted to work out an understanding in which they could cooperate, so long as our investigation did not hamper or compromise the criminal investigation and prosecution of the accused murderer, Nidal Hasan.

I assured them that our Committee understood and respected the difference between their criminal investigation and our Congressional investigation. Their criminal investigation is to bring an accused to justice. Our Congressional investigation is to learn whether the federal government or any of its employees could have acted in a way that would have prevented these murders from occurring. Their investigation, in one sense, looks backward and is punitive. Ours looks forward and is preventive.

I'm optimistic that we will work out a way for both investigations to proceed without compromising either. Our staffs will be meeting with representatives of the Department of Justice and Defense very soon to try to work out ground rules for both investigations without interfering with each other. But I can say I am encouraged and

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appreciative that Senator Collins and I and our staff, our top staff, have received one classified briefing on the Hasan case, and will soon receive another, and have been given access to some very relevant classified documents related to this matter. So, we are off to a good cooperative start. And we're going to be insistent about this because it is our responsibility to do so.

At the completion of our investigation, we will issue a report and recommendations.

I want to make clear this morning that we intend to carry out this investigation with respect for the thousands of Muslim-Americans who are serving in the American military with honor and the millions of very patriotic, law abiding Muslims who live in our country.

But we do no favor to all of our fellow Americans who are Muslim by ignoring real evidence that a small number of their community have in fact become violent Islamists and extremists.

It seems to me, here at the outset, and based on what we know now, that there are three basic areas of importance in which our Committee in this investigation will want to gather facts and draw conclusions. First, if as seems to be the case, there were colleagues of Nidal Hasan in the U.S. Army who heard him say things or watched him do things that raised concerns in their minds about his mental stability and/or his political extremism, the question is, were those concerns conveyed up the chain of command, and were they recorded anywhere in Hasan's personnel files, and did the Army do anything in response to those concerns? Second, what information did the Joint Terrorism Task Forces, headed by the FBI, have about Hasan, including transcripts of e-mails which he had with a subject of investigation that the FBI acknowledged publicly it had in its possession? That acknowledgement came last week. What judgments were made about those emails? Was any attempt made to investigate Hasan further after his e-mail traffic with the subject of an ongoing Joint Terrorism Task Force investigation was intercepted. And third, was the information which the Joint Terrorism Task Force had on Hasan shared with anyone in the U.S. Army, the Department of Defense, or anyone else in our government? Those to me are three central questions, though by no means all the questions, we will pursue painstakingly and answer as completely as we can before we reach conclusions and make recommendations.

This morning, we are really grateful to have with us to help us consider those questions and others a very experienced and thoughtful panel of witnesses with experience in terrorism, counterterrorism, law enforcement and the military. We have asked our witnesses to give us their first reactions to what we know of the murders at Fort Hood and to what we know of the accused murderer, Nidal Hasan, based on the publicly available evidence. I also hope that they will offer us their advice about what other questions our investigation should raise regarding the focus of our inquiry, with the conduct of employees of the Department of Justice, the Department of Defense, or any other federal agency or department.

I want to thank the witnesses for being here and look forward to your testimony, which I am confident will get the committee's investigation off to exactly the right start.

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Statement of
Senator Susan M. Collins

"The Fort Hood Attack: A Preliminary Assessment"

Committee on Homeland Security and Governmental Affairs
November 19, 2009

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In investigating the September 11, 2001, terrorist attacks, the Commission led by Tom Kean and Lee Hamilton discovered vital information scattered throughout the government, confined by agency silos, that might have prevented the deaths and destruction of that terrible day if only the dots had been connected.

In the wake of the mass murder at Fort Hood, we once again must confront a troubling question: Was this another failure to connect the dots?

Much has been done since 9-11-01 to respond to the failures exposed by those attacks. We created the National Counterterrorism Center (NCTC), additional Joint Terrorism Task Forces, and fusion centers. We revised information sharing policies and promoted greater cooperation among intelligence and law enforcement agencies.

And the results have been significant. Terrorist plots, both at home and abroad, have been thwarted. The recent arrest of Najibullah Zazi demonstrates the benefits of information sharing and joint efforts by the NCTC and other intelligence agencies, as well as federal, state, and local law enforcement.

But the shootings at Fort Hood may indicate that communication failures and poor judgment calls can defeat systems intended to ensure that vital information is shared to protect our country and its citizens. This case also raises questions about whether or not restrictive rules have a chilling effect on the legitimate dissemination of information, making it too difficult to connect the dots that would have allowed a clear picture of the threat to emerge.

These are overarching questions that we will explore with our expert witnesses today.

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Our ongoing investigation will also seek answers to questions specific to the Fort Hood case. For example, how did our intelligence community and law enforcement agencies handle intercepted communications between Major Hasan and a radical cleric and known al Qaeda associate? Did they contact anyone in Major Hasan's chain of command to relay concerns? Did they seek to interview Major Hasan himself?

When Major Hasan reportedly began to openly question the oath that he had taken to support and defend the Constitution of the United States, did anyone in his military chain of command intervene?

When Major Hasan, in his presentation at Walter Reed in 2007, recommended that the Department of Defense allow "Muslim soldiers the option of being released as 'conscientious objectors' to increase troop morale and decrease adverse events," did his colleagues and superior officers view this statement as a red flag?

Were numerous warning signs ignored because the Army faces a shortage of psychiatrists and was concerned, as the Army Chief of Staff has subsequently put it, about a "backlash against Muslim soldiers?"

These are all questions that we will seek to answer.

For nearly four years, this Committee has been investigating the threat of homegrown terrorism. We have explored radicalization in our prisons, the cycle of violent radicalization, and how the Internet can act as a "virtual terrorist training camp." We have warned that individuals within the United States can be inspired by al Qaeda's violent ideology to plan and execute attacks even if they do not receive direct orders from al Qaeda to do so. And we have learned of the difficulty of detecting "lone wolf" terrorists.

To prevent future homegrown terrorist attacks, we must understand why our law enforcement, intelligence agencies, and our military personnel system may have failed in this case.

Major Hasan's attack targeted innocent soldiers and civilians regardless of their religious faith. These patriotic soldiers and civilians were injured and killed not on a foreign battleground but rather on what should have been safe and secure American territory.

With so many questions still swirling around this heinous attack, it is important for the nation to understand what happened so that we may work to prevent future incidents. We owe that to our troops, to their families and communities, and to all Americans.

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Prepared Statement of Senator Claire McCaskill
"The Fort Hood Attack: A Preliminary Assessment"
November 19, 2009

Like most Americans, I was devastated by the events that took place at Fort Hood on November 5th and I express my deepest sympathies to the families of those who were lost in this horrific event.

It is incumbent upon this committee to make sure we ask the tough questions that will allow us to uncover how or if this event could have been prevented. But like all of the witnesses have stated today, it is somewhat premature to draw any conclusions on any actions that could or should have helped thwart Major Nadal Hasan's plans to kill Americans. At this time, Major Hasan has been charged with 13 counts of premeditated murder and I was pleased to hear the Chairman state today that this committee will not do anything to compromise the criminal investigation or prosecution of Major Hasan.

At today's hearing, several of the witnesses have given us specific questions that I believe can be useful in making sure that the committee's investigation of the Fort Hood incident is productive. I look forward to using those suggestions to help guide my inquiries at future hearings once there has been a more thorough review. We anticipate there to be a report of intelligence activities regarding Major Hasan on November 30th. I hope at that time, we will have a better understanding of the facts surrounding Major Hasan's activities and won't have to rely on accounts reported in the press.

Again, I think the Chairman and Ranking Member for this hearing today. I think we have been provided some very valuable information as we continue to unravel the facts behind this horrendous event.

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Prepared Statement of Senator Roland W. Burris
"The Fort Hood Attack: A Preliminary Assessment"
November 19, 2009

On November 5, 2009, a great tragedy took place at the Fort Hood military installation in Killeen, Texas. Thirteen courageous Americans were shot and killed. Even more service men and women were wounded. Two soldiers from my home state of Illinois lost their lives that day, and an additional two Illinois soldiers were injured.

This incident was the nation's largest massacre on a domestic military installation in American history. In the aftermath of the brutal attack, many legitimate questions have been raised about the motivations of the alleged perpetrator, why the attack happened and what could have been done to prevent it. With respect and reverence for these fallen heroes, we will seek to fully answer these questions.

There is no doubt that this case will continue to reach into many inter-related areas as we continue to pursue the truth. In this Committee, we will be examining the threat posed by the attacks in the broader context of terrorism and radicalization. Although the nature of terrorism directed at our nation is constantly evolving, its goal of destroying our values and ideals of freedom, privacy, and tolerance remains constant. We will not let this happen.

I am confident that President Obama and the involved agencies and offices are taking all appropriate and necessary steps to uncover the facts and motivations behind this incident. As a member of both the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services, I will do everything in my power to work with my colleagues on the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services to ensure that such an attack never again occurs on American soil.

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Prepared Statement of Senator Robert F. Bennett
"The Fort Hood Attack: A Preliminary Assessment"
November 19, 2009

Thank you Mr. Chairman, Senator Collins, for convening this hearing on the horrible events that took place at Fort Hood, Texas on November 5th. Tragedies such as these strike the hearts of mighty and sensitive souls alike. I mourn this senseless loss of life, and wish to extend my heartfelt condolences and sympathies to the families of all the victims.

I was especially saddened to learn that among those killed was Private First Class Aaron Thomas Nemelka of West Jordan, Utah. He was the youngest of those killed on that day. The promise of a bright future never to be realized, of one so young, only serves to underscore the overwhelming and tragic nature of this event. A fellow soldier and fellow Utahn, Private First Class Joey Foster of Ogden, was also wounded. My thoughts and prayers are with the victims and their families in these dark times. My profound gratitude goes to them for extending their lives and honor to protect and defend our country.

The great pain suffered by all whose lives were marked by this tragedy demands that we determine who should be accountable for such an event. However, until the investigation can be completed, it is wise that we refrain from making any final judgments.

The men and women of our armed forces daily put themselves in harm's way in order to protect our way of life, fully committing themselves to do all that's necessary to complete the mission, even at the expense of their own lives. Given their commitment to our country and the risks such devotion entails, our obligation as a Congress is to see to it that they don't endure any more risk than is absolutely necessary. Regretfully, the events of November 5th will ever serve as a cold reminder that our deploying soldiers are vulnerable to attacks and danger even before they step foot on the field of battle.

The overarching issues that face us as are was this a singular incident or a pattern of radicalization that we need to protect against and what steps can we take to reduce the likelihood of future attacks such as this?

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Congressional Testimony

The Ft. Hood Attack

General John M. Keane
US Army, Retired

Committee on Homeland Security and Governmental Affairs

19 November 09

1000 a.m.

Dirksen Senate Office Building
Room SD-342

Washington, DC

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Mr. Chairman, ranking minority, members of the committee, thank you for inviting me to testify this morning on a subject of such national importance which directly affects the security of the American people and equally important, that of our soldiers and their families. How painfully and devastatingly ironic that our soldiers were gunned down at Ft. Hood while preparing to deploy overseas to fight jihadist extremism. As we are quickly becoming aware, the preliminary reports suggest that Major Hasan, himself, was a jihadist extremist as he indicated during the act of shooting our soldiers, by crying out, the jihadist refrain "Allahu Akbar". It appears likely Major Hasan's targets and his radical beliefs are directly related as he chose to kill those who were destined to fight jihadist extremism

We all welcome the investigations that the Army, the Defense Department, FBI, other agencies of government, and this Congress are conducting to determine who was Major Hasan, what were the patterns of his behavior and attitude, what did we know about what appears to be his extremist beliefs, how did we share that information, and what actions did we take or fail to take as a result. And, most definitely, what must we do to prevent such incidents in the future.

The Department of Defense has a long standing policy of intolerance for organizations, practices or activities that are discriminatory or extremist in nature. It was updated in 1986 as a result of service member participation in supremacist activities and again in 1996 after 2 Army soldiers committed 2 racially motivated murders at Ft Bragg, N.C., resulting in the death of 2 African Americans and prompting a DOD review of the 1986 policy and a subsequent revision in 1996. In fact, the Army issued a pamphlet (600-15) on Extremist Activities as a result of that incident. There is no discussion in the pamphlet of what constitutes jihadist extremism or how to deal with it.

I took command of Ft Bragg and 18th Airborne C orps weeks after that incident occurred and there was much that we learned that eventually became Army policy. First, and foremost, we were tolerating racially motivated skinheads who were in our units at Ft Bragg. When extremism occurs in a unit there is a natural tendency for solders to pull away from it because it is so disturbing to their beliefs and to that of the Army. As such, it

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can often polarize a unit and directly affect its cohesion, morale and capability to perform to a very high standard. What we found at Ft Bragg is that our policy was not clear in identifying extremist behavior. In this case: tattoos, specific dress, racial rhetoric, nazi symbols etc. As a result, racial extremists were allowed to exist in our units. Twenty-one soldiers were eventually eliminated from the service for exhibiting such behavior, unfortunately, all after the racially motivated murders were committed. Two solders were tried and convicted for those murders.

The Army investigation determined that we needed to update our policies and, equally important, educate Army soldiers and leaders on the patterns of behavior and signs and symbols of racially motivated extremism. Those policies require solders and leaders to identify such behavior and to report it so commanders can take appropriate action. Commanders options are numerous from counseling, efficiency reporting, UCMJ or legal actions, and involuntary separation. Our commanders have full authority by Army policy (AR 600-20) to "prohibit military personnel from engaging in or participating in activities that the commander determines will adversely effect good order and discipline".

I suspect strongly that after we conduct these investigations we will find that our policies will need revision again to account for the specific behavior and attitudes as expressed by radical Islamic or jihadists extremists. It should not be an act of moral courage for a soldier to identify a fellow soldier who is displaying extremist behavior, it should be an obligation. And, as such, the commanders will need specific guide-lines as to what constitutes jihadist extremism behavior and re-emphasize how to use the many tools and options they have at their disposal to curb the behavior, rehabilitate the soldier or take legal or separation action. Because jihadist extremists are potentially linked to terrorist organizations that directly threaten the security of the U.S., it is essential that our government agencies are sharing information about such individuals.

What has been in the media these last days about Major Hasan and his behavior, if determined to be true, is very disturbing. Such allegations as justifying suicide bombing on the internet, lecturing fellow soldiers using jihadist rhetoric, warning darkly about "adverse events" if Muslims were not allowed to leave military service, repeatedly seeking counsel from a radical Islam Iman, Anwar Al Awlaki with well known ties to Al Qaeda, attempting to convert some of his patients who were suffering from stress disorders to

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his distorted view of Islam, and, finally was the FBI sharing with the Army what it knew about Hasan and Awlaki and was the Army sharing what it knew about Hasan with the FBI.

While these patterns are preliminary and will be confirmed by the investigations that are being conducted, it is very similar to what we experienced at Ft Bragg in the late 90's where we were wrongfully tolerating extremists in our organizations who displayed a pattern of behavior that put them at odds with the values and character of the Army. We should also recognize that Major Hasan is an officer and therefore afforded certain liberties and the fact that he was also a psychiatrist operating as individual specialist probably contributed to some degree to the hesitation his colleagues and patients had in not reporting his activity. I suspect if he were a member of a squad or platoon it is more likely some action may have been taken.

Let me conclude by saying that this incident and Major Hasan's behavior is not about Muslims and their religion who are part of the fabric of American life, respected, and assimilated into every aspect of American society. Nor is it about the 10,000 Muslims in the military who quite frankly are not seen as Muslims but as soldiers, sailors, airmen and marines. Their contribution, their commitment, and their sacrifice is not only appreciated, it is honored. This is fundamentally about jihadist extremism which is at odds with the values of America and its military and threatens the safety and security of the American people.

I was in the Pentagon on 9/11 and felt the horror up close of this extremism as the Army lost more soldiers and civilians that day then any day in the last 8 years of war. I know our soldiers and families at Ft Hood are stung by this tragedy because their friends and loved ones were killed simply because of who they are and what they stood for; they were committed to defend this nation against the very extremism that killed them. Radical Islam and jihadist extremism is the most transformational issue I have dealt with in my military service and continues to be so today. It is the most significant threat to the security of the American people I have faced in my life time. We are a society that espouses tolerance and values diversity and our military reflects those values - - but at the same time we must know what a threat looks like and we must know what to do about it.

Thank you and I look forward to your questions.

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Senate Homeland Security and Governmental Affairs Committee

New York City Police Department

Director, Intelligence Analysis, Mitchell D. Silber

In October of 2007, I testified before this committee about the findings of a recent study titled "Radicalization in the West: The Homegrown Threat" that I had co-authored and the NYPD had published concerning the process of radicalization in the West and the threat that it potentially posed to the United States. As it has elsewhere, this threat has now materialized in the United States.

The Past Twelve Months

During the last twelve months, U.S. authorities have uncovered a number of radicalized clusters of individuals intent on committing violent jihad within the continental United States as well as abroad. These arrests, along with intelligence operations, indicate that radicalization to violence is taking place in the United States.

Approximately one year ago, in November of 2008, the Department of Homeland Security and FBI issued a warning relating to an al Qaeda linked terrorist plot against the Long Island Railroad commuter network. The origins of the plot link directly to Bryant Neal Vinas, a New Yorker, who radicalized to violence in and around New York City before traveling to Pakistan to seek out an opportunity to participate in violent jihad.

In April of 2009, before their arrest by the Joint Terrorism Task Force, four men placed what they believed was C4 explosives outside a Jewish synagogue and community center in Riverdale, New York in an attempt to carry out a terrorist act. These men were radicalized in the United States.

In July of 2009, seven men were arrested by federal authorities in North Carolina, who possessed weapons and more than 27,000 rounds of ammunition and had plans to attack the Marine Base at Quantico, VA. These men, known as the Raleigh 7, were inspired by al Qaeda and radicalized in the United States.

This September, Najibullah Zazi, age 24 was arrested as part of an al Qaeda linked conspiracy to attack locations in New York City with hydrogen peroxide based explosives. The plot has been called one of the most serious since 9/11. Zazi, who lived in Flushing, Queens during his formative years – ages 14 to 23, before departing for Pakistan, radicalized in the United States.

Later that same September Betim Kaziu, a 21 year-old New Yorker from Brooklyn, was indicted for conspiracy to commit murder abroad and support for foreign terrorists. Arrested in Kosovo, Kaziu sought to join a foreign fighter group overseas and to "take up arms against perceived enemies of Islam," meaning American troops in Iraq or Afghanistan. He was radicalized in the United States.

And there are more – In Boston, Tarek Mehanna, age 26 and a graduate of the Massachusetts College of Pharmacy was arrested last month. Not only did he seek to fight jihad abroad, but he also is charged with conspiring to attack civilians at a shopping mall in the U.S., as well as two members of the executive branch of the federal government. He was radicalized in the U.S.

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At least fifteen men of Somali descent have radicalized in Minneapolis over the last few years and left the U.S. to fight jihad in Somalia. They joined al Shabaab, a terrorist group associated with al Qaeda and based in Somalia. Our fear is -- What happens when they return to the U.S? Australia has already thwarted a plot this year involving individuals who fought alongside al Shabaab and then returned to Melbourne seeking to carry out a plot against an Australian military base.

This past September also saw two plots involving lone wolves in both Dallas, Texas and Springfield, Illinois. In Dallas, a large office building was targeted with a vehicle borne explosive. In, Springfield, a Federal building was targeted. Though these individuals were not part of any group, much of their radicalization seems U.S. based.

Finally, there were recent arrests of two Chicagoans with direct links to Lashkar-e-Toiba, the group responsible for the November 2008 Mumbai terrorist attack. Though these men seemed to be plotting against targets in Denmark, once again, it appears that the U.S. served as their location of radicalization.

Given the evidence of the past twelve month period, one must conclude that radicalization to violence is occurring in the U.S.

Process and Radicalization
Given what seems to be a pattern of individuals radicalizing to al Qaeda inspired violence, the NYPD has invested a substantial analytic effort in order to assess the causes and process that marked the radicalization trajectory of these individuals. Among the cases previously mentioned, we saw the pattern repeating itself. It is consistent with model from the 2007 NYPD report that consisted of four phases -- Pre-Radicalization, Self Identification, Indoctrination and Jihadization. Driving this process is a combination of the proliferation of al Qaeda ideology intertwined with the real or perceived political grievances that cite a Western "war against Islam" and provide the justification for young men with unremarkable backgrounds to pursue violent extremism.

The dissection, comparison and analysis of eleven al Qaeda like plots between 9/11 and 2006, which formed the basis of the 2007 NYPD report, led to the assessment that there is a common pathway of radicalization in the West. Each of the stages in this process is distinct and has specific signatures associated with it. Although this model is sequential, individuals do not always follow a perfectly linear progression. However, individuals who do pass through this entire process are quite likely to be involved in a terrorist act. The stages are as follows:

Phase 1: Pre-Radicalization
Pre-Radicalization is the point of origin for individuals before they begin this progression. It is their life situation before they were exposed to and adopted jihadi-Salafi Islam as their own ideology. Based on the study, individuals who are vulnerable to radicalization tend to be male Muslims, between the ages of 15 to 35 who are local residents and citizens from varied ethnic backgrounds. Significant proportions come from middle class backgrounds and are educated, at least high school graduates, if not university students. Based on our case studies, the vast majority of individuals who end up radicalizing to violence do not start out as religiously observant or knowledgeable.

Phase 2: Self-Identification

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Self-Identification is the phase where individuals, influenced by both internal and external factors, begin to explore more literal interpretations of Islam, gradually gravitate away from their old identity and begin to associate themselves with and adopt this ideology as their own. The trigger for this "religious seeking" is often a catalytic event, or crisis, which challenges the individual's previously held beliefs and causes the individual to reconsider their previously held outlook and worldview.

Phase 3: *Indoctrination*
Indoctrination is the phase in which an individual progressively intensifies his beliefs, wholly adopts extremist ideology and concludes, without question, that action is required to support and further the cause. That action is violence. This indoctrination is the manifestation of accepting a religious-political ideology that justifies, legitimizes, encourages, or supports violence against anything *kufr*, or un-Islam including the West, its citizens, its allies, or those whose opinions are contrary to his own extremist agenda.

The signatures associated with this phase include becoming an active participant in a group and simultaneously become increasingly isolated from one's former life. Gradually, the individuals begin to isolate themselves from secular society and self-radicalize. They come to believe that the world is divided between enlightened believers (themselves) and infidels (everybody else).

Phase 4: Jihadization, or the "Violence Phase"
Jihadization is a phase in which individuals accept their individual duty to participate in violent jihad and self-designate themselves as holy warriors or mujahedeen. Often, individuals will seek to travel abroad to participate in a field of jihad such as Afghanistan, Pakistan, Kashmir, Chechnya, Somalia or Iraq, only to be re-directed back to the West to do "something for the cause" there. Frequently, the group members participate in outdoors activities like rafting, camping or paintball to vet, bond and train. In addition, mental preparation commences as jihadist videos are watched. Lastly, potential targets are chosen, surveillance and reconnaissance begins and the group weaponizes with readily available components.

New Analysis
While much of the 2007 Radicalization study remains directly applicable to the last twelve months events, additional research has highlighted some new findings. The most important is that the internet has become an even more important venue and driver for radicalization. In fact, this finding was also highlighted by a 2008 report that this Committee produced, noting accurately that "the use of the Internet by al-Qaeda and other violent Islamist extremist groups has expanded the terrorist threat to our homeland. No longer is the threat just from abroad, as was the case with the attacks of September 11, 2001; the threat is now increasingly from within, from homegrown terrorists who are inspired by violent Islamist ideology to plan and execute attacks where they live. One of the primary drivers of this new threat is the use of the Internet to enlist individuals or groups of individuals to join the cause without ever affiliating with a terrorist organization."

In 2007, we discussed the concept of a "spiritual sanctioner", an individual who provides religious justification for violent political extremism for individuals who are radicalizing. Within the last six months we have identified a new catalyst for radicalization – what we call the "virtual spiritual sanctioner". Although he is not the only one, Anwar al Awlaqi, based in Yemen is exemplar of this concept.

Both Anwar Al-Awlaqi's extremist ties as well as his ability to translate literature that promotes violent jihad into English have enabled his widespread radicalizing effect. Not only has Awlaqi

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been a religious authority cited by the convicted Fort Dix plotters, who were disrupted in a 2007 plot against Fort Dix in New Jersey, but his tapes were also played for all who attended the Toronto 18's makeshift training camp, held north of Toronto in the winter of 2005. That group plotted to explode three tons of ammonium nitrate in downtown Toronto in the fall of 2006.

Key Judgments

1) In recent years, U.S. authorities have uncovered a significant and increasing number of radicalized clusters or individuals intent on committing violent jihad either in the U.S. or abroad. These arrests confirm that radicalization is taking place in the U.S today.

2) It is also noteworthy that in the past year, there have been a half dozen cases of individuals who, instead of traveling abroad to carry out violence, have elected to attempt do it here; this is substantially greater than what we have seen in the past and may reflect an emerging pattern.

3) The al Qaeda threat to the U.S. Homeland is no longer limited to al Qaeda Core. Rather, it has decentralized and now consists of three primary elements -- AQ Core, Al Qaeda allies, like Lashkar-e-Toiba, Islamic Jihad Union and others who have begun to target the West and most recently -- the al Qaeda inspired or homegrown threat, that has no operational relationship with AQ Core, but consists of individuals radicalized in the West, who utilize al-Qaeda ideology as their inspiration for their actions.

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Testimony of the Honorable Juan C. Zarate
Senate Committee on Homeland Security and Governmental Affairs
"The Fort Hood Attack: A Preliminary Assessment"
November 19, 2009

Chairman Lieberman, Senator Collins, and distinguished members of the Senate Homeland Security and Governmental Affairs Committee. I am honored to testify today about the threat of violent Islamic extremism, radicalization, and patterns and evolutions of terrorist threats in the wake of the Fort Hood attack. Per your request, I am also pleased to provide guidance and questions that may assist the Committee in shaping its investigation. I will be testifying today in my capacity as an outside expert, serving currently as a Senior Advisor to the Center for Strategic and International Studies and a national security analyst for CBS News.

The brutal attack at Fort Hood on November 5, 2009, allegedly perpetrated by U.S. Army Major Nidal Malik Hasan, has raised legitimate questions about why such an event happened, whether authorities – both civilian and military -- could have prevented such an attack, and the national security implications of this incident. Unlike any event since 9/11, it has also fueled discussion about the specter and threat of a violent extremist ideology in our midst.

It is premature to answer any of these questions completely without more information about the event itself, Major Hasan's background, and his contacts. Without such information to review, it is also difficult to make definitive judgments about the motivations of the perpetrator and the ultimate implications of this event.

As we know from President Obama's recent directive to review all information surrounding this incident, the U.S. government is still collecting information that may be relevant to this event and to Major Hasan. On November 16, 2009, Army Chief of Staff General George Casey also formed a panel to determine whether warning signs in this case were missed. In addition, the military is preparing to try Major Hasan for the murders at Fort Hood. There is much yet to be discovered, and any final conclusions or judgments would be premature.

What makes the Fort Hood case particularly difficult to assess -- especially at this point – is that there may have been an admixture of motives at play in the alleged perpetrator's mind. What makes it a case that appears to have been harder to disrupt was that Major Hassan seems to have acted alone and apparently used his medical and academic research to mask his own inner turmoil and attraction to a violent ideology.

Based on information available publicly, however, we can begin a preliminary discussion about the implications of this event, especially in light of direct threats to our military and the growing threat of radicalization, including in the United States and among American citizens.

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The horrific event at Fort Hood was shocking not only for its brutality and lethality but because an attack against our men and women of the military occurred in our own country, on a major military base, and allegedly by an American citizen who was an Army officer and whose job it was to care for the mental well being of our soldiers.

Unfortunately, this event follows in a line of attacks against military personnel in separate incidents, including attacks and murders at a military recruitment center in Little Rock, Arkansas on June 1, 2009; an act of fratricide at Camp Liberty in Iraq on May 14, 2009 (unrelated apparently to violent Islamic extremism); and another act of fratricide at Camp Pennsylvania in Kuwait in March 2003.

The event also occurred in the wake of several disrupted terrorist plots in the United States, raising questions about whether we are facing a new wave of terrorism driven in part by self-radicalized actors. The Federal Bureau of Investigation (FBI), in concert with other international, federal, state, and local authorities, recently disrupted a series of serious plots and arrested potential terrorists:

- Two alleged plots with apparent direct international connections to known and designated terrorist organizations disrupted this fall.
    - Najibullah Zazi allegedly planned terrorist attacks in New York. Zazi appears to have had direct connections to al Qaida, including receiving training from al Qaida in Pakistan.
    - David Coleman Headley and Tahawar Rana allegedly planned attacks against the Danish newspaper that had published the cartoons of Mohammed. Both individuals are alleged to have direct connections and communications with Lashkar-e-Tayyiba (LT) and Harakat-ul-Jihad Islami (HUJI).
- The arrest of Bryant Neal Viñas, an American citizen who allegedly met with al Qaida members in Pakistan.
- Several plots involving radicalized individuals attempting to target sites in the United States.
    - The alleged plot in New York by four American citizens to attack two synagogues in the Bronx and a military transport plane;
    - The alleged attempt by Mosam Maher Husein Smadi, a Jordanian national, to blow up a skyscraper in Dallas; and
    - The alleged attempt by Michael Finton to detonate a truck bomb at a federal building in Springfield, Illinois.
    - The arrest of seven men in North Carolina, including the supposed ringleader Daniel Patrick Boyd, who were allegedly planning terrorist attacks.
- The arrests of Somali Americans from Seattle and Minneapolis over the past year who were allegedly radicalized and trained in East Africa and then

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returned to the United States. These arrests form part of a broader inquiry into the ongoing recruitment, radicalization, and training of Somali Americans, including the October 2008 suicide bombing attack in Somalia by an American, Shirwa Ahmed. The Washington Post has reported that there has been at least seven Somali American recruits killed in East Africa.

Even with all of these events occurring in a short period of time, we must be careful not to draw final conclusions about how the Fort Hood attack fits into these series of arrests and incidents and whether there is a recognizable pattern that ties this event to all the others.

It is important, however, to recognize the constant threat to our military from terrorist attacks; the challenges surrounding the lone wolf and insider threat; the growing threat of violent extremism as an ideology and platform for the justification of violence and division of our society; and the relevant tools and responsibilities to ensure such attacks neither happen again nor spark divisions in our society that can be exploited by violent extremist ideologues and thus serve the interests of our enemies.

Threats to the U.S. Military

The U.S. military – as both the vanguard and symbol of American power -- has been a constant target for terrorists since the 1980s. American power abroad is often demonstrated and defined by the presence of the U.S. military – with bases, troops, and equipment around the world. As a result, these installations, our vessels, and our military personnel have been targeted over the decades as a symbol of American power and presence.

From the attacks at the Marine Barracks in Beirut in 1983 and the destruction of Khobar Towers in Saudi Arabia in 1996, to the present day attacks on Bagram Air Base in Afghanistan, terrorists have purposefully targeted U.S. military might and installations. For al Qaida, our military presence in Saudi Arabia, the land of the Two Holy Mosques, was considered a sacrilege and served as the initial justification for Usama bin Laden's declaration of war on the United States and its people in 1996. After hitting our embassies in Nairobi and Dar es Salaam in 1998, al Qaida focused on attacking a U.S. naval vessel in the Gulf – at first failing in its attempted attack of the USS The Sullivans but succeeding in killing 17 sailors on the USS Cole on October 12, 2000.

Since 9/11, military targets overseas have continued to be the subject of al Qaida-led or inspired plotting and attacks -- seen vividly in Afghanistan and Iraq – but also in failed attacks on a U.S. Marine base in Camp Lemonier, Djibouti in 2003; a failed Abu Musab al Zarqawi-ordered attack on a U.S. navy vessel at Aqaba, Jordan in 2005; and the failed Islamic Jihad Union (IJU) plot to attack U.S. military bases in Ramstein and other sites in Germany in 2007. Pakistan Taleban, and its al Qaida allies, have also begun attacking U.S. and NATO supply lines from Pakistan into

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Afghanistan. In the War on Terror, the military in all its forms has served not only as the tip of our spear but also as a prime target for terrorists.

Unfortunately, the military has been a target for terrorists at home as well. We have seen numerous examples of self-styled terrorist and radicalized individuals attempting to target military installations, planes, and symbols:

- The 2005 arrests of four converts to Islam in Torrance, California who were targeting military facilities and Jewish sites in Southern California;
- The May 2007 plot by five individuals to attack Fort Dix;
- The killing of a U.S. soldier (and wounding of a second solider) at an army recruiting station in Arkansas by an American Muslim convert;
- The Bronk plot described above, which aimed in part to shoot down an aircraft at an Air National Guard base;
- In 2009, a plot to attack the military base at Quantico, Virginia led by Daniel Patrick Boyd and his co-conspirators in North Carolina.

For homegrown or self-radicalized individuals or cells, military bases and symbols provide the most visible and legitimate targets that help them justify their actions – morally and theologically – by tying their attacks directly to the perceived attacks on Muslims by the U.S. military.

These attempts to attack our military – including those not involved in combat – will continue and will in my opinion grow more likely over time. U.S. military presence abroad will remain a visible target for our enemies – including Sunni and Shia-inspired terrorist groups. Our soldiers' exposure to risk will also increase initially in environments like Afghanistan where we are applying a counterinsurgency model requiring us to challenge the presence of our enemies, interact with the local populations, and expose ourselves beyond the base walls to local settings. At home, violent radicals will see the military as an obvious and legitimate target. In some ways, the integration of bases into communities at home makes them more permissive environments and softer targets than U.S. military installations abroad.

Importantly, the U.S. military could see increased targeting from al Qaida-led or inspired attacks in the coming months. Al Qaida is on the ropes, with its legitimacy suffering badly. Al Qaida and its allies have stained their credibility and reputation in Muslim communities and around the world with their continued and brutal targeting of innocent civilians, especially Muslims in Muslim-majority countries. Al Qaida has great difficulty in explaining why such attacks are justified, even given the premise of U.S. aggression in Muslim lands. One way to attempt to regain legitimacy in the minds of those adherents of violent extremism and to fence-sitting supporters in Muslim communities is to attack the U.S. military, as the key symbol of American oppression and aggression for those claiming that the U.S. is at war with Islam. Thus, in the minds of al Qaida leadership, they could regain legitimacy with a more

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focused concentration on targeting the U.S. military and on inspiring others to do the same.

Fortunately, al Qaida and their allies have rarely been successful in such attacks and have not been able to stem the tide of unpopularity that is crippling to their image, ideology, and agenda. In addition, the military has implemented security measures from the lessons of past incidents and since 9/11 to harden and protect known installations. The military also has a method of increasing security and scrutiny in and around bases and for personnel if there is an increase in the threat environment. The problem in the case of Fort Hood though seems not to have come from the outside, but from within.

The Ultimate Challenge of the Lone Wolf, Insider Threat

Though we cannot make any definitive conclusions about the Fort Hood attack, it appears likely based on publicly available information that the alleged perpetrator acted alone – in "lone wolf" fashion – to perpetrate the horrendous attacks. Unlike a classic lone wolf, the alleged perpetrator in this case used his privileged role as an insider – an officer and doctor – to attack the military by attacking his fellow soldiers.

In many ways, the lone wolf, insider threat is the most challenging and difficult of problems for the counterterrorism and law enforcement communities to uncover. Attacks by such actors are often the most difficult to prevent, especially when such individuals are not planning with co-conspirators, confiding in outside actors, or seeking assistance to acquire access to or the implements for an attack. If there is no expression of violent tendencies, then it is difficult not only for authorities but also friends, colleagues, and neighbors to determine that a violent threat is looming.

The most dangerous of terrorist threats – to include the possibility of the use of chemical, biological, nuclear, or radiological attacks – tend to be those planned and executed by well established and trained terrorist groups, like al Qaida, Lashkar-e-Tayyiba, or Hizballah. That said, those threats and plots are likely easier to uncover and ultimately prevent if individuals in those networks are interacting, communicating, and manifesting their intent and capabilities.

The U.S. government and foreign partners have done relatively well in uncovering a variety of such cells and networks since 9/11. Some groups and individuals within the United States, like Ali Saleh Kahlah al-Marri , Ayman Faris, and the Lackawanna 6 conspirators, had overseas ties and exposure to terrorist groups, while others like the Fort Dix and the Torrance cells were confined to individuals acting solely in the United States.

On the other hand, identifying and stopping a lone wolf is difficult, and law enforcement is often limited in its ability to inquire or follow up without indications of suspicious or criminal behavior. The June 1, 2009 murder of Private William A.

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Long and the wounding of Private Quinton Exeagwula at the military recruitment center in Little Rock, Arkansas is a sobering reminder of these limitations. The alleged suspect, Abdulhakim Mujahid Muhammad (born "Carlos Bledsoe") was known to have extremist ideological views, had traveled to Yemen, and had been the subject of concern for the FBI; however, he had not committed a crime and was not conspiring with anyone to do so. He was heavily armed and decided that June morning to shoot a member of the U.S. military for perceived offenses committed against Muslims abroad. Though there were warning signs in this case, it is not at all clear that law enforcement should have predicted the suspect's decision to attack a U.S. soldier nor that federal or local authorities could blanket him forever with law enforcement attention to prevent such an attack from happening.

Unlike the lone wolf scenarios, "insider" threats present their own challenges and risks. The most serious case of a terrorist insider in the military involved Ali Muhammed, a member of the U.S. Army in the 1980s and 1990s who had direct ties to Usama bin Laden, al Qaida, and the Egyptian Islamic Jihad (EIJ). Muhammed colluded and assisted al Qaida and EIJ in their activities abroad and ultimately against the United States. Muhammed was convicted for his role in the East Africa Embassy bombings in 1998. Unlike a lone wolf, however, Muhammad had deep ties to terrorist groups and extremists and had maintained contacts with them throughout his career.

In retrospect, the Fort Hood case could prove to be even more complicated than these past events. At the end of the day, this may be a case of a lone wolf, insider whose motivations were not clear and whose status as an Army officer and doctor allowed him to avoid the scrutiny of those around him.

Without full information to evaluate, it is difficult to make any judgments, but it may be that we will not see a "smoking gun" that revealed Major Hassan's true motivations and signaled his resort to violence. Like other such violent incidents in the United States, there will likely be a patchwork of data points and behavioral clues, which in light of the incident and with hindsight appear to point to a path to violence.

The most troubling of the alleged data points revealed to date involves supposed communications between Major Hasan and Anwar al Awlaki, a Yemeni-American, radical cleric with ties to the 9/11 hijackers and with popular appeal on the Internet and in Yemen with Western violent extremists. Awlaki is well known to the U.S. government, and he has been detained in the past by the Yemeni government. Certainly any contact with Awlaki should be the subject of concern, but the local Joint Terrorism Task Force (JTTF), the FBI-led task forces established throughout the country to investigate suspected terrorist-related cases, appears to have reviewed the communications between Major Hassan and Awlaki. According to press accounts, the JTTF determined that the communications were not problematic, in large part because the queries contained therein were not violent or operational in nature and related directly to Major Hassan's approved research.

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What likely made the alleged case of Major Hasan more difficult to diagnose is that the alleged perpetrator's own doubts and conflict about serving in the military may have been masked by his academic and medical research about the mind of Muslim soldiers. According to press reports, his declared research, on which he lectured and gave presentations at Walter Reed Hospital and on which he was evaluated, aimed to determine how Muslim soldiers reacted and coped with fighting fellow Muslims, as in the case of the attack at Camp Pennsylvania in 2003. Apparently, Major Hassan's research used that attack as a point of departure and focus. Thus, his questions or presentations related to the obligations and mindset of Muslims in the U.S. military appear legitimate – and are in fact important questions. This research however may have been the manifestation of his very own struggle, exacerbated by orders to deploy to Afghanistan. Though not yet demonstrated, the research and his status as a psychiatrist likely masked his own radicalization.

The threat of an American lone wolf – radicalized remotely in the United States, perhaps via the Internet – presents the most difficult problem for U.S. law enforcement. The possibility of the Internet serving as a personal vehicle for exposure to the ideology and subsequent radicalization – often without retort or critical thinking – makes this challenge for our society all the more complicated. Attacks by such actors are difficult to predict and prevent.

The Threat from Violent Islamic Extremism

The public discourse about the Fort Hood attack and the alleged perpetrator has centered on the threat from the ideology of violent Islamic extremism. This is an ideology espoused by al Qaida and other ideological adherents and extremists. The central premise of the ideology is that the United States, Israel, and their allies (often called the "Crusaders and the Jews") have been and are at war with Islam and seek to subjugate and humiliate Muslims – as a matter of policy and practice. The ideology then explains that there is a religious obligation to engage in "defensive jihad" to defend against the assault from the West. Al Qaida then goes on to argue that the only legitimate form of government is the return of the Caliphate under the rule of Islamic (sharia) law. Anyone who does not believe, Muslim or non-Muslim alike, is labeled as unbelievers and is subject to conversion or death.

The core narrative of this ideology -- that the West is at war with Islam and that Muslims around the world must unite to fight the United States in defense of fellow Muslims – has widespread appeal. This is a simple, straightforward narrative that helps explain world events and local grievances, and it's a narrative that is widely believed in many corners of the world. For individuals seeking meaning in life or at a crisis moment in their identity or worldview, this ideology – peddled by extremist imams and groups alike -- provides structure and meaning temporally and theologically.

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Al Qaida and their adherents take full advantage of this ideology to lure recruits and cannon fodder for their cause. Their media machine and others have used all forms of the media and messaging, especially the use of images, to stoke the passions and emotions of individuals and to cow those unwilling to take up the supposed cause of Muslims around the world. Al Qaida's leadership, including Usama bin Laden and Ayman al Zawahiri, have frequently crafted messages directed to American audiences, including African Americans, to stoke a sense of common grievance against the oppressive West and to make common cause. Usama bin Laden has even appealed to those affected by the economic crisis and those who want to challenge globalization and the current economic order. In this case, there is no doubt that al Qaida will reference and use the Fort Hood attack in its propaganda as a way of convincing their adherents that the U.S. military is under pressure and suffering at the hands of al Qaida.

The international community and the United States have tried to find ways to discredit this ideology and its major proponents. For example, British Prime Minister Blair and President Bush led efforts in 2005, at the United Nations (UN) to recognize the threat of the ideology that justifies terrorism and incitement to it. UN Security Council Resolution 1624 (2005) lays out the concern explicitly:

> Condemning also in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts.
>
> Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and emphasizing the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life.

The United States followed that Resolution with an attempt to use targeted financial sanctions to isolate certain known terrorist supporters who were also serving as radical ideologues and inspiration for adherents to the ideology. On December 7, 2006, the U.S. Treasury designated five individuals as terrorist supporters, to include the cleric Mullah Krekar in Norway and Mohammed Moumou (who later became al Qaida in Iraq's number two in command and was subsequently killed in Iraq).

Though this is an ideology that is inherently exclusionary and violent, it is not illegal to believe in or espouse it. Many do throughout the world, including some people in the United States. Given our First Amendment protections, merely espousing such views cannot be considered illegal, and absent proximity and causality tied to an act

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of violence, the preaching of such hatred and advocacy of violence is not prosecutable as incitement under U.S. law.

There are many radical ideologues, like Anwar al Awlaki, who skate the line between spreading this hateful ideology and inciting violence under U.S. law. Others like Yousef al Qaradawi, a famous and influential imam in Qatar, have frequently advocated and defended the legitimacy of suicide bombings; however, some of those same clerics have also been critical of certain terrorist activities like the attacks of 9/11. Despite efforts to undermine the credibility of the ideology, there is a degree of legitimacy given to it and to the ideologues who espouse it in some parts of the world.

This is in part why President Obama's efforts to undercut this narrative and the ideology, with his speeches in Ankara and Cairo and the naming of Farah Pandith as Secretary Clinton's Special Representative to Muslim Communities, are so important. Given that President Obama represents the fulfillment of the American dream in the eyes of many, his very person and ascendancy to the presidency can be used to destroy some of the myths of a racist, hypocritical America used by extremists to buttress their narrative. His credibility and popularity abroad can give voice to the defense and promotion of American values and interests and the exposure of the extremists' ideology and narrative as being hollow and hypocritical.

To date, the United States has largely been immune from the larger social and economic problems of Muslim citizen integration and the attendant problems of radicalization found throughout Europe and in parts of Asia. American Muslims have also been largely immune from the sectarian and ethnic divides that often rent other countries or societies, especially between Shia and Sunni populations in the Middle East. Much of this can be attributed to the fundamental integration of all immigrants into American society, where being American is not defined by ethnicity, race, or creed but instead by one's belief and defense of the principles of the American Constitution and the inherent freedoms and liberties that define our country.

As the counterterrorism expert Marc Sageman often notes, the best antidote to this violent extremist ideology is the belief and ideal of the American dream. As a counter narrative, there is no more powerful weapon than the promise and reality of the American dream, with opportunity for all as individuals. Muslim Americans of all stripes have traditionally and historically been integrated well into American society and the economy and have lived the American dream.

The most corrosive manifestation of this ideology in the United States would be if Muslim Americans, who come from all Islamic faith traditions and ethnic backgrounds, begin to feel and act as though they were separate from their neighbors and American society. The danger of this ideology in the United States is for a divide to form within American society. We have seen some Americans, many who are Muslim converts like Adam Gadahn, fall prey to the allure of this ideology.

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This is why American citizens – Muslims and non-Muslims alike – have a special responsibility not to play into the hands of the violent extremists and their ideology. There cannot be a divide in our society, and we cannot stand for illegitimate recriminations among neighbors or the sowing of fear. To the credit of our great country and citizens, reaction to the horrors of Fort Hood has been measured and civil.

Importantly, Muslim Americans have a special responsibility in this ideological battle. Regardless of the motivations of the perpetrator, the attack at Fort Hood is an important moment for Muslim Americans, Muslim American groups, and leaders to stand up directly against this ideology that has proven to be so deadly and destructive. Muslim Americans have a unique obligation to serve as bulwarks against this ideology and the ideological battle that is playing out within Islam in the first instance. This involves more than just condemnation of terrorist or violent attacks but an active participation in the debate about how to isolate, discredit, and ultimately displace the allure of this false ideology, especially in the United States.

In the first instance, this requires recognizing there is a problem and then stepping forward to retake the momentum of the debate against radical ideologues who have tried to define what it means to be Muslim in Western societies in the 21st century. In addition, this involves taking ownership within communities to ensure that such ideologies and division do not take hold of the minds of our youth.

I applaud leaders like Salam al Marayati, Executive Director of the Muslim Public Affairs Council (MPAC), who has issued a clarion call to fellow Muslim Americans. In a Huffington Post posting on November 12, 2009, Marayati called Fort Hood a "defining moment for Muslim Americans" to "demonstrate . . . that we are working for America, not merely taking seats on the margins of our society." His conclusion bears repeating:

> We have only one option available to deal with ideologically motivated violence: the Islamic theology of life must overcome the cult of death. No more justification for violence against the innocent or the defilement of jihad in order to lead young men and women to their death, while Muslim leaders sit on their hollow thrones.
>
> We, as Muslim Americans, are the answer to this frightening phenomenon of terrorism and violent extremism. We own our own destiny, and it is fundamentally intertwined with our nation's destiny. Terrorism will be defeated with our work on the frontlines, not in the battlefields, but in our mosques and community centers and youth associations. By standing up and working for change, we are acting on the best and guiding principles of Islam and of America.

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Indeed, it is our vibrant American Muslim communities and leaders who must rise up and face down the ideology that glorifies death and aims to foment division in our society. I hope this will be a moment for Muslim Americans across the country to reengage and help shape the defining ideological conflict of our day.

Tools and Responsibilities for the U.S. Government and Authorities

As the review of this incident unfolds, it will be critical to ensure that the tools available to law enforcement and the intelligence community are preserved if not strengthened to deal with the problem of domestic extremist terrorism.

In this regard, the two provisions of the USA PATRIOT Act ("Patriot Act") set to sunset on December 31, 2009, should be renewed. Section 206 of the Patriot Act allows for a "roving" wiretap authority under the Foreign Intelligence Surveillance Act (FISA) to account for the use of multiple communication devices by a suspect. Section 215 of the Patriot Act expands the Foreign Intelligence Surveillance Act (FISA) "business records" authority making it easier for the FBI to request tangible documents and items relevant to a FISA investigation. These should be renewed without unnecessary or burdensome requirements that may dissuade or prevent the effective use of these techniques by law enforcement. If lawfully conducted, these information gathering tools will continue to help law enforcement uncover relevant data and prevent attacks.

Importantly, Section 6001(a) of the Intelligence Reform and Terrorism Protection Act (IRTPA), which is set to sunset on December 31, 2009 as well, should be renewed. Frequently, this provision is referred to as the "lone wolf" provision because it brings into the orbit of FISA coverage those individuals who may not be directly tied to a foreign power. As the Department of Justice has noted, this provision proves important for those who are "self radicalized" via information provided by international terrorist organizations. Congress should take note of any findings coming out of the Fort Hood investigations and ensure they inform the most robust application of this provision possible.

In addition, Congress and the Administration should ensure that the revised Attorney General Guidelines issued in October 2008, are fully supported and implemented. These Guidelines established uniform and consistent standards for all investigative and intelligence gathering activities, allowing greater flexibility to allow for the opening of inquiries and assessments on subjects while also putting in place measures to protect civil liberties.

Finally, the Administration and Congress should look at existing laws and authorities to determine whether modifications or more aggressive use would be appropriate against those providing material and ideological support to lone wolf terrorists and violent extremists. There are important First Amendment safeguards that need to be respected, but there should be a review of existing authorities, such

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as Title 18 USC Section 842(p), which might be used if amended against those providing ideological justification, prompting, and incitement to violence.

While we do all of this, we must ensure that any reaction is measured and that we preserve and protect the civil liberties of all Americans and protect the Constitution in doing so.

Relevant Questions to Shape the Investigation

The Committee asked for relevant questions that could be used to help shape the course of the investigation. It is difficult to construct specific questions without full information about the case or the suspect, but there are some general lines of inquiry based in part on my testimony and review of what has been made public that may prove helpful to Congress, the Administration, the military, and the inter-agency community charged with keeping the United States safe:

Uncovering Threats

- Are there common warning signs in the Fort Hood case and in the 2003 Camp Pennsylvania attack that can be used to prevent future such attacks?

- Were there any restrictions on the sharing of information – horizontally or vertically within the government – that affected the ability to see the collective body of information about the suspect, Major Hasan?

- Was someone within the military or outside of it able to look at the body of data surrounding Major Hasan and his state of mind?

- Can state and local authorities play an appropriate role in intelligence-based policing to identify problematic actors, radicalized individuals, or emerging problems tied to violent extremism?

- Are there any additional authorities or resources needed to assist federal agencies to identify radicalized and violent actors or networks on the Internet?

Safeguards to Prevent an Attack

- Is the U.S. government capable of preventing lone wolf attacks, and what are the realistic expectations we should have in such cases? Does the FBI have the kinds of resources needed to pursue possible suspect behavior, even if there are no signs of criminality or tendencies toward violence?

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- How much of the prevention of such attacks requires a societal response of heightened vigilance, without creating an atmosphere of fear, suspicion, and recrimination among neighbors? How do we strike that balance?

- Are there reasonable safeguards in place within the military and across the U.S. government to recognize the signs that an individual may resort to violence against co-workers?

- Are there current laws and authorities that can be used or modified to address the problem of radicalized lone wolf actors?

- How can we ensure than any measures taken by the government in the wake of the Fort Hood attack rightfully respect Americans' rights and civil liberties?

Isolating and Countering the Ideology

- Are there U.S. federal authorities – current or proposed -- to isolate or indict known radicalizers who are inciting or fomenting violent Islamic extremism?

- Can efforts by the government, like the State Department's Digital Outreach Team, or by private sector actors be amplified or modified to more aggressively counter the message of violent Islamic extremism on the Internet?

- Can existing international agreements and national laws in other countries be used to help pressure those radical ideologues abroad who present a direct threat to the United States?

- How can we improve existing federal, state, and local government efforts at outreach to communities and neighborhoods in the United States affected by violent Islamic extremist recruiting?

- Do offices like the Department of Homeland Security's Office of Civil Rights and Civil Liberties need to expand their outreach and crisis communications work along with other parts of the U.S. government?

- Should there be a more formal national mechanism for Muslim American engagement, to allow Muslim Americans to be empowered to take on the violent Islamic extremist ideology and to allow federal, state, local, and tribal authorities an ability to more actively address community concerns?

These are just some preliminary questions that can help guide the early stages of your investigation. As the facts of this case emerge, there will no doubt need to be other questions asked while other questions will need to be put aside.

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Conclusion

The challenge of the Fort Hood attack now lies in finding ways of preventing such lone wolf-type attacks from happening again as well as confronting and defusing the violent Islamic extremism that continues to threaten us directly. This will take an effort by all of society, and not just the federal government, to ensure that this event does not stoke a divide between us but instead is a moment of truth to fight together the dark vision and effects of this violent ideology.

Thank you again for the invitation to testify. I am pleased to answer questions and to provide support to your ongoing investigation into the attack at Fort Hood.

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Brian Michael Jenkins[1]
The RAND Corporation

Going Jihad
The Fort Hood Slayings and Home-Grown Terrorism[2]

Before the Committee on Homeland Security and Governmental Affairs
United States Senate

November 19, 2009

Mr. Chairman, Senator Collins, members of the committee, thank you very much for giving me the opportunity to address you concerning this tragic and disquieting event.

When I testified last January before this same committee on the terrorist attacks in Mumbai, in response to the question, Could a Mumbai-style attack happen in the United States? I said, "It could. The difference lies in the planning and scale. Assembling and training a ten-man team of suicidal attackers seems far beyond the capabilities of the conspirators identified in any of the terrorist plots in this country since 9/11."

"However," I continued, "we have seen lone gunmen and pairs of shooters, motivated by mental illness or political cause, run amok, determined to kill in quantity. The Empire State Building, Virginia Tech, and Columbine cases come to mind."

"Therefore, an attack carried out by one or a small number of self-radicalized, home-grown terrorists armed with readily available weapons, perhaps causing scores of casualties, while still far beyond what we have seen thus far, is not inconceivable."

It is noteworthy that the only terrorist attackers to succeed in killing anyone in the United States since 9/11 were lone gunmen. Authorities managed to thwart all of the other plots.

Major Nidal Malik Hasan has the characteristics of both political extremist and ordinary mass murderer. At a glance, his homicidal rampage looks a lot like what used to be called "going postal"—a deepening sense of personal grievance culminating in a homicidal rampage directed

[1] The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of RAND or any of the sponsors of its research. This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels; and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors.
[2] This testimony is available for free download at http://www.rand.org/pubs/testimonies/CT336/.

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against co-workers, in this case, fellow soldiers. For Hasan, "going jihad" reflects the channeling of obvious personality problems into deadly fanaticism.

We must wait for a full inquiry to thoroughly understand Hasan's motives and objectives, but on the basis of what has been reported in the news media, Hasan's profile looks familiar. Descriptions of his inability to connect with others, absence of close relationships, passive rigidity, personal disillusion, and frustration at not being able to alter his life's course indicate a man in crisis—a susceptible terrorist recruit.

Again, based solely upon what has been publicly reported, the path that takes Hasan to the Fort Hood slayings includes many of the signposts identified in the radicalization process: his search for meaning and spiritual guidance, his engagement via the Internet with jihadist ideology, his adoption of the jihadist view that the West and Islam are irreconcilably opposed, the broadening of his sense of grievance from the personal to what he saw as a besieged Muslim community, his reported on-line encounter with an enabler—a jihadist imam whose writings would morally validate and reinforce Hasan's own feelings of anger and aggression, his expression of extremist views, and at some point, his decision to kill. If some of the markers of radicalization and recruitment are missing, it is because, except for Hasan's reported correspondence with the imam, Anwar al-Awliki, his journey may have been entirely an interior one.

We seek the comfort of certain categorization. Precision is a prerequisite of the law. But human behavior is more complex and provides no bright line between murderer and terrorist.

In 1997, a 70-year-old Palestinian immigrant opened fire on the observation deck of the Empire State Building, killing one person and wounding seven others before taking his own life. He carried with him rambling, confused letters denouncing Zionists, France, and the United States, but there were also claims that he had been bilked by con artists who left him penniless. Although his motives reflect a tangle of personal and political grievances, his action is generally classified as an incident of terrorism.

In 2002, an Egyptian chauffer opened fire on passengers at the El Al counter at LAX. Again, there was no evidence of radicalization, but his choice of target made him a terrorist in the eyes of many.

The factors that drove these two men to kill are murky. We do not know how much to credit personal distress or political intent. As with Major Malik, the underlying motives may have been personal, but they were acted out in a political realm. Within the ranks of true terrorists, we also

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find those who became terrorists in response to profound personal crises, rather than deep political convictions, muddled individuals who were swept along by others they happened to meet or who radicalized themselves, sociopaths attracted by the practice of violence. Terrorism, by its very nature, does not attract the well-adjusted.

Mass killings like the one at Fort Hood invariably prompt the question, Could it have been prevented? Seen through a rearview mirror, the clues appear tantalizingly obvious—if only we had been able to connect the dots. That famous phrase sometimes seduces us into overestimating what is reasonably knowable. While I await the government's own inquiry, in this case I remain skeptical. We do not, nor would we want, to live in a police state where every dubious remark, questionable correspondence, or relationship deemed suspicious is noted, recorded, and scrutinized for signs of dangerous deviancy. As a practical matter, it cannot be done. Communist East Germany's Stasi kept several hundred thousand officials busy poring over dossiers on its citizens. It is an obsession and a fate we would not want to emulate.

We must, however, recognize that all wars place great strains on any military organization. The long duration and nature of the conflicts we confront today create exceptional challenges to members of our armed forces. The stresses show up in the form of breakdowns, suicides, self-mutilations, and sometimes, homicides. This by no means excuses the actions of Major Hasan. It does suggest that we are going to have to be extraordinarily sensitive to the mindset, morale, and mental well-being of the men and women in uniform. The ability of America to achieve its aims depends on their continued commitment and spiritual strength.

According to research at RAND, except in Afghanistan and Iraq, the number and geographic range of al Qaeda-inspired attacks has been growing each year, although there has clearly been a decline in the quality of these operations. Some analysts say that al Qaeda is currently following a strategy of "leaderless resistance." Leaderless resistance envisions an army of autonomous terrorist operatives, united in a common cause, but not connected organizationally. Although it is difficult for authorities to destroy a leaderless enterprise, leaderless resistance is a strategy of weakness. Eight years of unrelenting pressure worldwide have greatly reduced al Qaeda's operational capabilities. Outside of Pakistan and Afghanistan, its leaders can do little other than exhort others to violence. However, leaderless resistance does enable terrorist leaders to assert ownership of just about every homicidal maniac on the planet, thus projecting an illusion of strength. Major Hasan's Internet imam was quick to praise the Fort Hood murders as another jihad victory.

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Since 9/11, authorities in the United States have uncovered nearly 30 terrorist plots involving "homegrown terrorists." This total includes plots to carry out attacks in the United States or abroad, as well as support for foreign terrorist organizations. Although not all of the plots, if undiscovered, are likely to have resulted in successful attacks, very little separates the ambitions of jihadist wannabes from a deadly terrorist assault. The essential ingredient is intent. Domestic intelligence collection remains a necessary and critical component of homeland security.

Authorities uncovered eight of these terrorist plots in 2009; adding two actual attacks (the shooting in Arkansas and the Fort Hood case) puts the level of activity in 2009 much higher than that of previous years. Apart from common inspiration, there is no evidence of any organizational connection between these events. They appear to be individual responses to jihadist propaganda in the context of U.S. policy decisions. American foreign policy should not be determined by a handful of shooters and would-be bombers, but we must accept the fact that what America does in the Middle East, Afghanistan, and Pakistan may provoke terrorism in the United States. Wars are no longer confined geographically.

Six of the plots since 9/11 targeted American soldiers or military facilities in the United States (Torrance, 2005; Fort Dix, 2006; New York City, May 2009; Arkansas, 2009; North Carolina, 2009; and Fort Hood, 2009), which could reflect in part jihadist exhortation and in part the plotters' own perceptions that attacking military targets is more legitimate than attacking civilians. However, the majority of the plots appear to have been aimed at causing mass civilian casualties, especially in public transportation venues.

What does the Hasan case tell us about the radicalization of Muslims in America? Not a lot. In all, roughly 100 individuals in these plots have been charged with crimes related to terrorism. These include Muslim immigrants, native-born Muslims, and converts to Islam. Almost all were here legally. Most are U.S. citizens. A few, like Nidal Hasan, were veterans of military service.

Some of the terrorist plotters uncovered in the United States began to radicalize before 9/11, while others, like Hasan, are more recent converts to jihadist world views. Almost all were recruited locally—we have no evidence of terrorist sleeper cells being established in this country.

The plots show that radicalization and recruitment to terrorist violence is occurring in the United States and is a legitimate security concern. It has, however, yielded very few recruits. With roughly 3 million Muslims in America, although some estimates run much higher, 100 terrorists represent a mere 0.00003 percent of the Muslim population—fewer than one out of 30,000.

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Terrorist violence is not a new phenomenon. Al Qaeda and its jihadist followers did not bring terrorism to the United States. Along with its immigrant communities, the United States has imported numerous terrorist campaigns. Cuban, Puerto Rican, Croatian, Serb, Palestinian, Armenian, Taiwanese, and Jewish extremists have all carried out attacks on U.S. soil, in addition to the homegrown terrorist campaigns of the far left and far right. In fact, the level of terrorist violence was greater in the United States in the 1970s than it is today.

The lack of significant terrorist attacks on the United States since 9/11 suggests not only intelligence and investigative success, but an American Muslim community that remains overwhelmingly unsympathetic to jihadist appeals. Modern communications, especially the Internet, offer access to violence-exalting narratives, but there is absolutely no evidence to show that attempts to exploit the dismay of some Muslims at policies that can be portrayed as an assault on faith or community have interrupted the integration of immigrant communities. What authorities confront are tiny conspiracies or the actions of individuals, which in a free society will always be hard to predict and prevent.

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TO: Senator Joe Lieberman, *Chairman*
Senator Susan Collins, *Ranking Member*
Committee on Homeland Security & Governmental Affairs

FROM: Alejandro J. Beutel, *Government Liaison*
Muslim Public Affairs Council

Dear Sens. Lieberman and Collins:

Tomorrow the Senate Committee on Homeland Security and Governmental Affairs will be hosting a briefing on *The Fort Hood Attack: A Preliminary Assessment*. The Muslim Public Affairs Council's (MPAC) reaction to the tragedy was one of both outrage and sorrow.

MPAC's response to the incident was unequivocal: **such violence is absolutely unacceptable and runs completely contrary to the authentic teachings of Islam**. However as an organization representing the perspectives and interests of mainstream Muslim American communities, we believe that our responses cannot be limited solely to condemnations and offering condolences to victims.

Over the years MPAC has been consistently at the forefront of proactively addressing issues our community faces. This has required MPAC to both unflinchingly recognize internal challenges and address them through a number of different means. Back in 2005 we initiated the *National Grassroots Campaign to Fight Terrorism*.

Beyond grassroots work, we must also constructively and proactively engage policy discourse from an authentic Muslim American perspective. As such we have recently produced a policy product entitled *Building Bridges to Strengthen America: Forging an Effective Counterterrorism Enterprise between Muslim Americans and Law Enforcement*.

The heart of the paper centers on two aspects:

- **A hybrid theory of radicalism**. Grounded in the latest field research, empirical studies and literature reviews, *Building Bridges* pieces together its own theory of radicalization and terrorist recruitment.
- **A counterterrorism enterprise centered on a community policing partnership.** Law enforcement will focus on criminal activities and Muslim American communities tackle the social and political drivers of radicalization and notify police of suspicious activity.

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We feel this paper would be an extremely valuable resource to the Committee members. Therefore the Muslim Public Affairs Council formally requests Chairman Lieberman and Ranking Member Collins to submit our counterradicalization policy paper, *Building Bridges to Strengthen America*, for the record for tomorrow's Homeland Security Committee Hearing on Fort Hood.

Regards,

Alejandro J. Beutel

Government Liaison
Muslim Public Affairs Council

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Building Bridges to Strengthen America

Forging an Effective Counterterrorism Enterprise between Muslim Americans and Law Enforcement

By Alejandro J. Beutel

November 2009

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Executive Summary

The purpose of this report is to outline a suggested "blueprint" for how Muslim American communities can be an asset in securing our nation and preserving the rights of all Americans, as defined by a Muslim American perspective.

This condensed report focuses on two key components discussed in the full version:

- **Understanding the radicalization process**
- **A counterterrorism enterprise based on community policing.**

There are five key theories explaining why some Muslims become radicalized: 1) *"Socio-Economic Deprivation," 2) "Identity Politics," 3) "Social Affiliations," 4) "Political marginalization/grievances," 5) "Presence of radical ideology."*

While each theory makes important contributions to the study of radicalization, each theory on its own is insufficient to describe why radicalization occurs. Using the work of Quintan Wiktorowicz, an expert on radical Muslim groups, as its foundation, the report pieces together a hybrid theory of radicalization and terrorist recruitment. *Ultimately, radicalization is a complex and multi-faceted process that cannot be explained or dealt with through either simplistic analyses or uni-dimensional policy responses.*

In order to effectively deal with the challenge of radicalization and terrorist recruitment, law enforcement and Muslim American community leaders must partner together. *This report argues for a domestic counterterrorism enterprise centered on community policing.* Community policing is a proactive style of policing primarily focused on community partnerships and crime prevention.

In order to simplify explaining the nuances of radicalization and the community policing enterprise, this report uses a market analogy: *Both terrorist groups and the community policing enterprise are similar to business firms.*

A "terrorist business firm" uses recruitment "advertisements" to tap into and/or create a market of people experiencing identity crises. These identity-conflicted individuals are the labor pool or "market for martyrs" terrorist firms recruit from. Terrorists also challenge law enforcement's ability to maintain public security.

A community policing enterprise competes against terrorist firms in the "market for martyrs" and seeks to maintain public security. The enterprise is analogous to a "product-extension merger" and requires both a division of labor and cooperation between law enforcement and Muslim communities. *Law enforcement focuses*

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criminal behavior while Muslim communities deal with ideological and social components to radicalization.

Law enforcement needs to make sure its actions do not undermine Muslim communities' efforts and thus end up expanding the market for martyrs. Muslim communities need to maintain their willingness to assist legitimate law enforcement efforts to clamp down on terrorist firms' ability operate within the market without impunity.

The report ends by describing the tactical advantages to community policing over other forms of information gathering, such as intelligence-led policing. Unlike intelligence-led policing, community policing's heavier reliance on community partnerships reduces minimizing negative impact on both community-police relations and democratic values. *It also gathers and contextualizes various bits of information better to construct a fuller intelligence assessment.*

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Introduction

In a July 2009, Department of Homeland Security (DHS) Secretary Janet Napolitano stressed the need for greater public involvement to secure our country. The Secretary laid out her vision of success: "as a country, as a nation, we are at the point where we are at a constant state of preparedness and not a state of fear.'"[1]

The United States has not tapped into its full potential to make itself secure because government agencies have ignored an important resource: the nation's citizens. According to Secretary Napolitano, "For too long, we've treated the public as a liability to be protected rather than an asset in our nation's collective security."[2]

The goal of this report is to outline a suggested "blueprint" for how Muslim American communities can be an asset in securing our nation and preserving the rights of all Americans, as defined by a Muslim American perspective.

As American citizens, we are deeply concerned with the safety and security of our nation. Given the recent counterterrorism arrests and the horrifying events at Ft. Hood, we are releasing this report to insert a crucial perspective into the policymaking discourse. Addressed to policymakers and the public at large, this report is one part of a larger response from the Muslim American community.

Condemning and offering condolences is not enough; they are after-the-fact responses. Preventive measures which encourage a proactive community role are deeply needed. MPAC offers this policy product as a way of engaging security policy discourse through fresh and constructive ideas Muslim Americans leading Muslim American organization.

This report focuses on two key components to be discussed in later reports:

- **A hybrid theory of radicalism.** Grounded in the latest field research, empirical studies and literature reviews, *Building Bridges* pieces together its own theory of radicalization and terrorist recruitment.
- **A counterterrorism enterprise based on community policing.** This enterprise is analogous to a "product-extension merger" that requires both a division of labor and cooperation between law enforcement and Muslim communities.

The full "Building Bridges" report will offer specific policy recommendations to these issues. A brief sample of these includes:

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- **Increased funding to develop human capital with cultural competency and subject matter expertise within police and intelligence agencies.** It promotes more nuanced assessments that avoid misidentifying false threats from real ones.
- **Greater protections for civil liberties**. This includes legal remedies and strengthening audit and oversight mechanisms.
- **Increased funding for community policing**. It promotes better intelligence gathering and minimizes the negative impact on both community-police relations.
- **Long-term Muslim community investments in institution building**. This includes developing homegrown religious leadership, more policy advocacy organizations at the national, local and state levels, and expanded social service outreach to youth and at-risk populations.

Understanding the Problem: Radicalization and Terrorist Recruitment

Background on Theories of Radicalization and Terrorist Recruitment

In order to craft an effective joint counterterrorism enterprise between Muslim communities and law enforcement, it is first necessary to understand how terrorists recruit. Not knowing this process will impede the effectiveness of the enterprise. According to a University of London literature review, there are five key theories for why Western Muslims become radicalized and possibly join terrorist organizations.[3]

1. "Socio-Economic Deprivation" theory. According to this thesis, socio-economic frustration and a lack of self-fulfillment – the likely result of various forms of economic/ethnic/racial/religious discrimination – can drive someone toward terrorism.

2. "Identity Politics" theory. Many second- and third- generation Muslim youth do not connect with their parents' ethnic/cultural practices and identities because they are considered to be remote, outdated, and/or partly sacrilegious. At the same time, they may feel they are the object of hostility and humiliation by the host majority Western cultures due to local discrimination and discontent over foreign policies toward Muslim countries. Trapped between a rock and a hard place, European Muslim youth are experiencing an identity crisis that makes them more susceptible to join radical causes.

3. "Social Affiliations" theory. Supporters of this view assert that recruitment for radical and violent organizations takes place through social network ties like friendship, kinship and discipleship. For instance, a study by terrorism expert Marc Sageman found at least 80% of his 500-person dataset was recruited into terrorism by friendship or family ties.[4] In addition, a body of literature on how people join religious cults also demonstrates how social bonds are the key ingredient for successful conversions.[5]

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4. "Political marginalization/grievances" theory. Some researchers argue Muslim youth feel driven to violence because they are alienated from mainstream national politics. They may also feel marginalized within their own communities by elders and elites whom believe to have little in common with. Those youth that does not become politically apathetic, may alternatively seek to have their grievances represented and addressed by more radical organizations. Adding to this marginalization is anger at Western foreign policies toward Muslims in other countries.

5. "Presence of radical ideology" theory. Some argue the spread of violent extremist rhetoric among a select minority of preachers is mainly responsible for the radicalization of a minority of Western Muslims. It is also alleged that extremists penetrated and took over many mosques, where they seduce attendees into radical ideology and possibly violent behavior. Finally, non-violent organizations such as the conservative Tablighi Jamaat and radical Hizb-ut-Tahrir are considered to be "conveyor belts" for violent organizations.[6] They initially brainwash a Muslim into radical ideology and then make it easier for later recruitment/assignment into violent groups. Some believe the "conveyer belt" extends as far out as to the conservative, but more politically engaged group, the Muslim Brotherhood.

While each theory makes important contributions to the study of radicalization, each theory on its own is insufficient to describe why radicalization occurs.

The "socio-economic deprivation," "identity politics," and "political marginalization/grievances" theories fail to explain why radicalism and terrorism is not more widespread. For example, European Muslims face significant discrimination, high unemployment, and have little political representation at the national and EU levels.[7] Yet only a minority of European Muslims is radicalized[8] and far fewer turn to terrorism.[9] Out of 72 European Muslim terrorists studied by Dutch security expert Edwin Bakker, 33 (46%) came from middle class backgrounds or higher.[10] Sageman's 500-person study found "the vast majority of the terrorists in the sample came from the middle class."[11]

"Social affiliations" may be important, but they also deny the power and rule of a person's moral agency. Just because someone may have kinship or friendship ties to individuals with an extremist worldview does not mean they will become radicalized and take a further step by joining a terrorist organization. Also, social affiliations between radical and mainstream individuals can work in the opposite direction by disengaging at-risk individuals from extremist ideology and criminal behavior. As a recent RAND report shows, *a person with stronger connections to mainstream social networks is much less likely to adopt extremist views and activities, because such networks greatly influence an individual's behaviors and attitudes.*[12]

As for the "presence of radical ideology" theory, there are three problems. First, the takeover of mosques by extremists has not been as widespread as some claim.

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Extremist ideologues like Abu Hamza[13] and the "shoe bomber" Richard Reid[14] were removed or voluntarily left mosques because their violent fringe views were not accepted by the orthodox mainstream congregants.

Second, the "conveyor belt" aspect completely overlooks how most of these different radical and conservative groups have mutual disdain for one another and have significant ideological conflicts.[15] Conservative groups like the Muslim Brotherhood pose long-term strategic threats to violent extremists by siphoning Muslims away from violent radicalism into peaceful political activism.[16] One would expect that if there was a "conveyor belt" relationship, there would be more cooperation rather than confrontation between all of these organizations. Even violent extremists are barely cohesive among themselves; internal disputes are common, creating an enormous strategic vulnerability that can be exploited by counterterrorism strategists.[17] Finally, the thesis suffers from the same pitfalls as the "socio-economic deprivation," "identity politics" and "political/marginalization grievance" theories – if the rhetoric is visible (especially on the Internet),[18] then why is there not more radicalism and terrorism?

A Hybrid Framework

Despite the shortcomings in each of the theories, each has important strengths and contributions. Furthermore, none of these explanations are completely exclusive of each other. They have several areas of overlap and when pieced together, they can collectively provide a sufficient basis for understanding radicalization and terrorist recruitment. Quintan Wiktorowicz, an expert on radical Muslim groups, maps out a path to radicalism while addressing weaknesses in other theories. Using relevant research, this section builds on his work by supplementing it in some areas and modifying it in other areas.

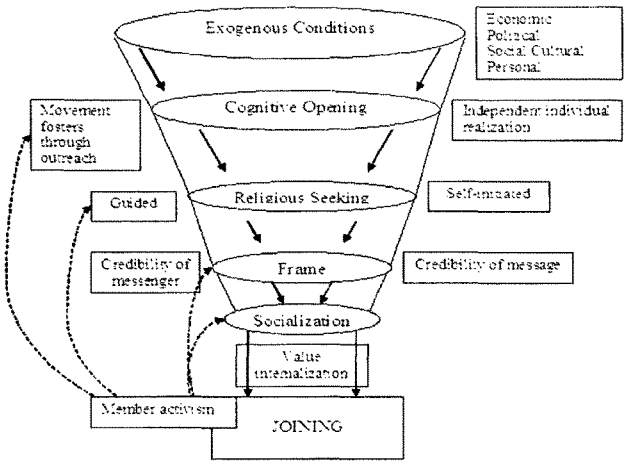

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Fig. 1 – Wiktorowicz's Model for Joining Extremist and Terrorist Groups[19]

The first step to radicalization is a "**cognitive opening**," which is the first crack opening a person to extremist ideas. This can be the result of social, economic, and/or political discontent from various kinds of alienation, discrimination, and/or victimization. Wiktorowicz goes so far as to include personal issues (such as death in the family or harm from a crime). The common thread of these experiences is they precipitate a personal crisis that "...shakes certainty in previously accepted beliefs and renders an individual more receptive to the possibility of alternative views and perspectives."[20]

Yet extremist movements do not always wait passively for a potential recruit to undergo a crisis before exploiting it; they also seek to trigger one through messaging. The objective of their outreach is to "generate a sense of moral shock... that could lead to a cognitive opening and a willingness to learn more about the crises and possible proscriptions."[21] The methods range from private and individual interactions, through pre-existing social ties or developing new personal contacts, to more public and collective events such as "demonstrations, pamphlets and pictures."[22]

Though Wiktorowicz includes personal issues as a cause for cognitive openings, field research in Europe indicates the most powerful and most common types of cognitive openings are based those on a sense of socio-political-economic discontent.[23] Furthermore, an empirical study of Osama Bin Ladin's publicly available statements found he overwhelmingly cited policy grievances (rather than the Islamic faith) to justify terrorism when addressing Muslim audiences.[24] If personal issues are an effective means of recruitment, one would expect Bin Ladin to engage his audience on such topics. However, such messages are absent from his statements.

Yet, just because the environmental conditions triggering a cognitive opening exist, this does not mean one will automatically happen. If that were automatically true, radicalism and terrorism would be more widespread. Even if one does occur, it does not automatically lead to extremism – a point which will be elaborated on shortly.

Once the person is in an identity crisis, s/he needs to seek clarity. For many Muslims, it is done through their faith, or "**religious seeking**." At this point, the individual goes through a "testing phase," acquiring knowledge from different sources and by different means. Some cases are individual-based: books, the Internet and other media. Other seekers opt for a network-based approach: discussions with friends, family and/or religious organizations. Both methods involve "a process of persuasion [that] is characterized by discussion and debate, an exchange of ideas through which the [extremist] movement members attempt to convince seekers that the movement ideology provides logical solutions to pressing concerns."[25]

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However, just because someone is seeking different mediums and types of religious knowledge does not mean s/he will immediately and automatically join a radical cause. In fact, many Muslims use their religion as a catalyst for self-empowerment, greater social integration and increased engagement with civil society. As one official study in the United Kingdom of Muslim identity politics and radicalization found:[26]

> Muslim identity politics can support and encourage integration. Action around demands for the accommodation of religious needs have played an important role in the initial mobilisation of Muslim communities for civic and political engagement. These campaigns indicate affection rather than disaffection; they show a commitment to Britain and a wish, by Muslims, to make themselves more at home in Britain.
>
> Some have argued that because this mobilization is ethnically and religiously based it has perpetuated segregated identities. Recent research suggests that activism for ethnic and Islamic causes, even when it has been conflictual, have accelerated Muslim integration. Such participation provides a pathway into other forms of civic and political participation... the 2003 Home Office Citizenship Survey suggests that political activity by Muslim positively contributes to the sense of identification with Britain.

On top of the issues that lead to a person's cognitive opening, the seeker is also vulnerable to extremist indoctrination because such individuals typically lack access to mainstream religious knowledge. The presence of radical ideologues and social networks becomes important at this point because religion can be abused to "**reframe**" a person's worldview[27] (i.e. convert him/her to the radical ideology) and legitimate violent extremism. Thus, is it is unsurprising to find empirical studies showing most terrorists largely lack religious knowledge[28] and were secular individuals until just before joining an extremist group.[29]

This is ironic given that, in the name of faith, arguments used by recruiters to legitimate violence typically lack religious justification. In reality, such arguments are grievance-based, emphasizing a pan-nationalist Muslim *identity*, not personal piety. The premise behind this strategy is simple: Muslim recruits are typically more willing to die defending their oppressed co-religionists than for abstract political concepts like an "Islamic State" or a "Caliphate."[30]

In this context, it is no surprise to see violent extremists like Bin Ladin play on such sentiments for recruitment purposes. According to one empirical study of Bin Ladin's public statements, it found when he was addressing Muslims audience, he used policy-grievance justification words 51 times more than religious justification words.[31] In addition, both Abdullah Azzam[32] and Abu Musa'b al-Suri,[33] Bin Ladin's mentor and senior strategist, used and advocated for similar ideological framing strategies.

Finally, after a person is in agreement with the radical ideology, s/he embarks on a process of "**socialization.**" The recruit moves from being a movement's student, to a

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committed member, by internalizing the group ideology and in the process having his/her identity reconstructed. This process is reinforced by radical social networks isolating the individual from the rest of mainstream society.[34]

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Terrorism as Business Firm Activity and the "Market for Martyrs"[35]

A Terrorist "Business Firm" Model

We sum up the "hybrid theory" presented in the previous section by conceiving of a terrorist group as a business firm.[36] This firm uses grievance-themed advertisements to tap into and/or create a market of people experiencing identity crises. Such individuals constitute the labor pool or "market for martyrs," that terrorist firms seek to recruit from.

Three types of advertisements are primarily used: 1) events like handing out flyers and public demonstrations 2) media marketing in the form of TV interviews and internet-based material[37] (such as texts and videos); and 3) word-of-mouth (i.e. "social networks"). Based on field research, it appears demonstrations and media marketing tend to generate initial interest in extremist ideology and reinforce belief in the ideology after joining a group. However, it is word-of-mouth advertisement that tends to most effectively convince a person to sign up for membership with a terrorist business firm.[38]

Competition in the "Market for Martyrs"

Using the analytical framework of terrorist groups as business firms, it is important to note that terrorists also face strong competition from two other "business firms": mainstream Muslim communities and law enforcement. As noted earlier, most Muslims turn to their faith to deal with identity crises from a sense of disenfranchisement without becoming radical. As a result, extremist groups face stiff competition in the "market for martyrs" from various mainstream mosques, imams (clerics), and faith-based civil society institutions. The mainstream's presence pushes out terrorists from their labor market.[39]

Terrorist firms must first tap into the "market for martyrs" to have the necessary quantity and quality of people to run the firm's various operations. However, they do more than recruit people to their cause. Their danger lies in their additional "entrepreneurial activities" that distinguish them from extremist, but lawful non-violent entities. They seek to break the State's monopoly on the use of force by engaging in unlawful violent activities and other material support. This automatically puts them in conflict - or market "competition" - with law enforcement authorities.

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In order to improve counterterrorism policy, we suggest forming stronger partnerships through community policing. In business terms, this is somewhat analogous to a product-extension merger. We elaborate on this point in the next section.

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Community Policing and Counterterrorism

Introduction to Community Policing

In order to successfully compete against terrorist firms and drive them out of the market for martyrs, law enforcement and Muslim communities must partner with each other based on a community policing model. Such a model is not only more respectful of community concerns than other forms of policing and information collection – including civil liberties and civil rights – it is also more effective by filling in a critical intelligence gap that other surveillance methods are unable to fill.

Before going further, it is important to briefly describe community policing. The concept lacks a single definition and perhaps is best described as a broad philosophy. It emerged from a series of police practice innovations in the 1980s and "is primarily focused on community partnerships and crime prevention."[40] It seeks to reduce and prevent crime not only through enforcement of criminal law, but also through administrative and civil law, conflict mediation and resolution, and joint problem solving with social services groups.

Whereas traditional policing is reactive and tends to distance itself from local citizens, community policing regularly communicates with the community and partners with it to proactively tackle issues of crime, fear of crime, disorder, and quality-of-life concerns.[41] Under community policing, public attitudes toward the police are more important than in traditional policing.

According to community policing experts Matthew Scheider and Robert Chapman, community policing is based on three interrelated elements: organizational change, problem solving and external partnerships. The first element is organizational change, which requires revising internal processes "that define organizational culture and activities."[42] The two most salient revisions are a decentralization of management structure and focused geographic responsibility for patrol officers.

Decentralization of management creates a more "democratized" policing culture that allows for greater input and information sharing internally from officers of all ranks. It encourages greater innovation among beat officers to adapt to changing circumstances on the street and promotes a knowledge-building environment by critically evaluating minor mistakes rather than automatically punishing for them.[43] Externally, democratized management promotes greater institutional transparency and trust by encouraging expert advice and feedback from community members.[44]

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Focused geographic responsibility for officers complements the trust-building aspects of democratized management. When assigned to fixed geographic areas of a community for an extended period of time, an officer learns the issues community members of that area are facing, develops channels of communication with residents, and enhances police accountability with the residents of that area. All of this creates the foundations of understanding and trust that eventually produce the "community intelligence" officers use to tackle various types of crime, including terrorism.[45]

The second aspect of community policing is problem solving. As a part of community policing's proactive orientation, beat officers address underlying conditions that foster crime and disorder in order to prevent future problems. This requires developing custom-made strategies for each community based on analysis from a wide variety of information sources.[46]

The third component to community policing is external partnerships. This is critical to developing the proper information about challenges facing a community and the right kind of solutions to those challenges. Partnerships involve good working relations with a wide variety of government agencies, as well as community members.[47]

Community Policing Counterterrorism as a Product Extension Merger

Returning to the market analogy, what this report proposes is akin to a product-extension merger. A product-extension is when two companies selling different and non-competing, but related products in the same market join together.[48] An example of a product-extension merger would be a car manufacturer and a tire supplier.

The nature of the merger would be based on a collaborative "courtship/just friends" relationship. Such a relationship seeks "to achieve an effective working relationship between the two companies rather than complete integration."[49] Mergers form for several reasons, two of which are relevant to this paper: synergy and increased market share.

Similarly, we propose a product-extension merger between law enforcement and Muslim communities. Each partner has a set of particular strengths that can, if combined together, minimize each other's weaknesses and create an effective synergy. This synergy would allow it to more effectively compete against terrorist firms in the "market for martyrs."

Therefore, the proposed bi-lateral approach simultaneously requires a division labor, while maintaining a collaborative relationship. We shall start with the division of labor.

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Law enforcement must focus its energies on counterterrorism (i.e. criminal activities), not counterradicalization. It must ensure its efforts are precise so that limited resources are used efficiently and done in a manner respectful of civil liberties and civil rights. Mechanisms for legal redress and policy input must also be made available to correct mistakes.

Otherwise, it will create a deeper sense of grievances that terrorists can exploit by creating an easier environment to operate in - hiding within communities afraid and less willing to cooperate with law enforcement.[50] The heightened sense of fear and grievances also creates a greater pool of alienated people terrorists can tap into for recruitment.

Meanwhile, Muslim communities must do their part to reach out and continue to assist law enforcement to bring real terrorist perpetrators to justice. *The role Muslim communities should play is in counterradicalization efforts through better religious education, social programs and long-term constructive political engagement.*

These efforts would inoculate communities against radicalization by making communities religiously literate and foster strong social networks of mainstream Muslims through social services and programming, and invest in long-term growth of civil society groups. Furthermore, given their familiarity with other community members and unique cultural and linguistic competencies (which law enforcement continues to lack),[51] they assist by providing law enforcement with extra information that can lead to terrorist arrests.[52]

Law enforcement works on clamping down on terrorist firms' ability to operate within the market for martyrs - terrorists' "entrepreneurial activities" - while Muslim communities work on drying up the market itself. Law enforcement needs to make sure its actions do not undermine Muslim communities' efforts and thus end up expanding the market for martyrs. Muslim communities need to maintain their willingness to assist legitimate law enforcement efforts to clamp down on terrorist firms' ability operate within the market without impunity.

Principles of Law Enforcement Engagement to Muslim Communities

As the previous section broadly described, the relationship between law enforcement and Muslim communities is a two-way street. This section focuses on what law enforcement can do to productively engage Muslim communities. Other law enforcement challenges dealing with immigrant and minority communities, in general, are examined later in this the complete "Building Bridges" special report. The following are a list of essential principles for law enforcement to consider:

1. **Decisions and assessments of Muslim communities must be made based on credible information.** Law enforcement must make sure that whatever judgments it makes about Muslim communities must come from credible sources. There is a cottage industry of individuals who seek to distort the

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image of Islam and Muslims. While everyone has the right to free speech, bigotry masquerading in scholarship without solid analysis is counterproductive when applied to counterterrorism.[53] Therefore, it is essential that law enforcement get the correct information to make the best assessments possible.

2. **Respect for communities' civil rights and civil liberties.** Many (but not all) Muslim communities – whether immigrant or indigenous African Americans – have negative perceptions of the police. The reasons for this perception vary among community and racial/ethnic group. For some, it is based on pre-existing racial issues in America, while for others the police as an institution were regarded as instruments of oppression in their homeland.[54] This creates an automatic barrier to police community outreach. Unfortunately, in the current political climate, the actions of certain law enforcement agencies – whether spying on peaceful activist groups and houses of worship without reasonable suspicion, or religious profiling – have added to difficulties. These actions are not only contrary to American political values, they are counterproductive by eliciting fear within communities and making individuals less likely to cooperate with law enforcement.

3. **Move away from a "securitized" relationship.** Muslim communities must broaden their engagement with civil society and the government beyond law enforcement. It is critical that civil society organizations provide Muslim youth and mosques with the tools needed to enter into other policy forums. Even if one were to look at this purely from a security perspective, a relationship based on fear of terrorism only adds to communities' sense of isolation and alienation. This also undermines the foundation of trust needed between law enforcement and Muslim American communities to elicit information in case a real threat exists. A community policing model uses a wide range of tools, beyond criminal law enforcement to control and prevent crime. Putting Muslim communities in touch with a variety of social services, as community policing initiatives have done with other communities, is one helpful approach.

4. **Leave the counterradicalization to Muslim communities.** As mentioned earlier, the partnership is premised on a division of labor. Law enforcement should focus on terrorists' criminal activities; Muslims have been, and must continue to be at the forefront of the ideological issues. Aside from a respect for civil rights and liberties, law enforcement must make sure its actions avoid the theological and political issues Muslim communities must deal with. Doing otherwise is a task law enforcement are ill-tasked to handle and will undermine mainstream voices.

The Role of Muslim Community Partners

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Up to this point, the discussion on community policing has focused on how law enforcement can obtain information from community members to prevent a possible terrorist attack. However, communities – in this particular case, Muslim Americans – can and must play a greater role beyond being largely passive sources of information. Muslim American communities can serve an important counterradicalization role through intellectual and social service initiatives that create a hostile environment for terrorist recruitment. While law enforcement focuses on counterterrorism (criminal activity), Muslim communities can protect the nation through counterradicalization efforts.

On the ideological front, Muslim American leaders and communities have been very strong and consistent in their denunciations of terrorism since 9/11. They must continue to do so. If studies on the backgrounds of Muslim terrorists consistent show one thing, it is that they typically lack a strong background in religious knowledge. This view has not been lost on the religious leadership. Prominent traditionalist Muslim scholar Abdal Hakim Murad denounces Al-Qaeda and its ideologically like-minded ilk as those who "embrace a very secular heresy."[55] Thousands of other high-level Muslim scholars back this denunciation of Al-Qaeda and its abuse of Islamic concepts like *jihad* and *takfir* (excommunication).[56]

At the grassroots level specifically within the United States, the Muslim Public Affairs Council developed and disseminated its National Grassroots Campaign to Fight Terrorism. The Campaign was also endorsed by the Islamic Society North America, the largest Muslim umbrella organization in the United States.[57]

However, intellectual responses like denunciation and prominent legal opinions should not and cannot be the only response Muslim communities take to preventing terrorism. As our earlier analysis of terrorist recruitment highlighted, the issue is far more complex than merely the presence of radical ideologies and specific extremist personalities. Identity crises, largely based on perceptions of injustice and exclusion, and the presence of social networks are also extremely important factors leading to the radicalization of individuals.

Here, Muslim institutions and communities must also take a lead role. Muslim Americans must have the necessary social services available to them to inoculate their communities, including the most vulnerable members, against extremist ideologies. A vibrant civil society is necessary to the long-term defeat of extremist ideas. It ensures Muslims' energies are channeled into mainstream activism that secures full integration into American society through political and civic engagement rather than fostering isolation and alienation that breeds extremism. Civil society organizations must be well-resourced to engage in activities relevant to peoples' needs and maintain their credibility among communities.

Communities must expand their social service outreach by either developing their own faith-based organizations like the Islamic Social Services Association-USA or partnering with other outside private or public organizations. Attention must be

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given to social programming that expands religious literacy and addresses social issues relevant to youth relevant like drug use, peer pressure and understanding one's Muslim American identity. Community and religious leaders who have the language and cultural expertise to connect to all members of their community – including youth and converts – must lead these programs. The problems of extremism among British Muslim communities serve as an example of the negative consequences of inadequate community leadership failing to effectively address relevant social issues.[58]

Furthermore, there needs to be a long-term vision of Muslim institution creation and development. Greater emphasis should be put on organizations seeking long-term policy engagement with the political system, instead of short-term reactive styles.

Reactively-oriented engagement organizations like civil liberties groups have the advantage of typically being able to deal with legal issues in ways that policy-engagement organizations cannot. The drawback is that by being reactive, such engagement tends to be short-term and after-the-fact, dealing with issues once they have developed further along. This makes solutions longer to implement and sometime less effective.

Constructive, engagement-oriented organizations – whether they are national policy advocacy organizations like MPAC or state and locally-focused political and policy advocacy groups like the Muslim Alliance of Indiana and the Texas-based Freedom and Justice Foundation – are different in that they tackle problems in their early stages or even before they form. Both approaches have their advantages and their disadvantages. Furthermore, they are not in conflict with each other; their approaches to public policy and political influence are complementary.

Currently, there are several civil liberties groups such as the Council on American-Islamic Relations and Muslim Advocates, as well as ethnic-based groups such as the Asian Law Caucus and the American-Arab Anti-Discrimination Committee, catering to these needs. However, there are fewer Muslim policy-oriented organizations like the Muslim Public Affairs Council. If Muslim American communities seek to maximize their public policy influence and representation at local, state and federal levels, a better balance of policy and legal advocacy is needed.

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Why Community Policing and Community Intelligence?

Informants are an extremely important tool and can be used to great effectiveness in various kinds of criminal investigations, including counterterrorism ones. According to Boston College Law Professor Robert Bloom there are two types of informants: the "incidental informer" and the "confidential informer".[59]

Modern American policing has similar examples of legitimate and illegitimate uses of informants. The FBI has successfully used them against the organized crime syndicates such as various mafia crime bosses in the 1980s.[60] Former FBI counterterrorism agent Michael German has also described firsthand how informants – employed in a Constitutionally-sound manner – were effective in bringing down domestic terrorists.[61] However it has also abused them, such as the investigation, infiltration and sabotage of radical but mostly non-violent groups under its Counterintelligence Program, or COINTELPRO.[62]

We propose an intelligence gathering model that shifts some of the emphasis away from traditional methods, such as the heavy use of informants, and towards a more community policing-based methodology.

There are three tactical reasons for this. First, intelligence-led policing models introduce a strong analytical bias that is not necessarily relevant to counterterrorism. Intelligence-led policing tends to focus on repeating criminal offenders and problems. This biases the analysis toward individuals with a pre-existing a criminal background. This bias is largely due to problems with managing extremely large volumes of information generated and seeking to identify those few nuggets of vital information that indicate a real threat in a sea of mundane data.[63]

However, many terrorists do not have a criminal background; in fact many terrorist groups seek to recruit individuals with a clean record so that they can avoid scrutiny much easier.[64] The result is that intelligence-led policing focuses mostly on repeat criminals – who are likely to make the worst terrorists largely due to their conspicuousness – while failing to identify real threats that may fly under the radar.[65]

Intelligence-led policing, particularly at the community level, also has a tendency to rely heavily on covert informants. While informants can be helpful in detecting and preventing particular plot, they also have several limitations. By being dependent upon a few covert individuals and assuming the information they provide is accurate and truthful (which is not always the case), an intelligence-led policing approach fails to provide broader contexts that allow officers and analysts to discern what a threat is and is not. Thus, given the focused nature of informants, it leaves our important context, leaving an intelligence gap. This is especially the case where communities are fragmented and no one source of information is able to provide a full picture of the communities where terrorists operate within and/or

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plan to execute an attack against. Since information gathering is also done more broadly, openly and cooperatively from a wider range of contacts, it is easier to corroborate information from a number of different sources.[66]

Meanwhile, developing a particular covert human intelligence source can be extremely difficult. Given the limited resources police agencies have, it is comparatively easier to develop a network of community contacts that can provide a more contextualized and nuanced understanding of local communities and its residents.[67]

Third, informants are of limited value when dealing with cellular structures. In networked hierarchical structures, penetration of an organization by one asset is likely to yield a great deal of information on the entire group as members are more likely to be in communication with one another. However, in a "leaderless" cellular structure,[68] penetration itself is extremely difficult, as cells take steps to ensure only committed individuals join its militant cause. Furthermore, penetration of one cell does not mean much, information can not be readily developed on other cells possibly in the midst of concocting their own plots.[69]

However, with community intelligence, if there is more than one cell operating with a geographic location, the wider network of community contacts will be better positioned to provide information on suspicious activity wherever it occurs. It casts a much wider, contextualized, and nuanced intelligence net that is more likely to be corroborated by multiple sources.

Furthermore there is an important strategic reason to putting a greater emphasis on community policing, as opposed to intelligence-led policing methods like heavy use of informants. *If employed in an improper or questionable manner, it can undermine community relations needed to elicit information in an investigation.*

Muslim communities may be less willing to cooperate with law enforcement based on a sense of "betrayal", especially if they perceive terrorism busts to be cases of entrapment or provocation. It also undermines the credibility of mainstream religious leaders who advocate for engagement with law enforcement. As a result, the cooperative relationship between law enforcement and Muslims is severely strained or completely undermined. Law enforcement can no longer get important information that may prevent a future terrorist attack,[70] thus leaving a critical intelligence gap that can not be filled by other means including the overuse and under-regulation of informants.[71]

Again, this paper does not deny importance or effectiveness of informants in law enforcement investigation. However there are significant costs to be considered when they are employed. A more circumspect calculation by law enforcement agents should be made when considering informant use: *Are the gains of using an informant worth it if the short-term intelligence and prosecutorial benefits are limited*

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but the long-term social and intelligence gathering costs from harmed community relations are high?

In order to achieve maximum effectiveness of information gathering, they will need to be supplemented with other intelligence gathering methods, namely *community intelligence.* Furthermore legal mechanisms and internal guidelines need to be strengthened to ensure informants actually prevent real criminal activity, not spy on innocent individuals.

How Community Policing Develops Community Intelligence

Many community policing strategies have tended to rely on strong relations with a few strategic contacts as a means of "engaging with communities and obtaining information from them where historically relations may have been difficult."[72] However, such an approach is limited because it forces police to derive information from a limited number of sources even though important bits of intelligence are spread across many community residents.

A more diffuse means of community intelligence gathering, beyond a core set of "strategic contacts," is needed. In this context, research by sociologist Mark Granovetter is extremely helpful. Granovetter's research found individuals were able to collect diffuse information more effectively by relying on a network of people with loose ties, rather than relying a small number of close contacts. Granovetter referred to this social phenomenon as the "strength of weak ties."[73] A diffusion of information problem is also something seen fairly frequently in intelligence and community policing issues. According to one study on counterterrorism and community intelligence: [74]

> Applied to issues of counterterrorism, where the key pieces of intelligence may well be diffusely located among different community members, it would seem that police strategic engagements need to be supplemented with a far more extensive network of community contacts.

Therefore, an integrated approach to grassroots intelligence gathering is needed. Rather than replacing strategic contacts and intelligence-led approaches, there would be a shift toward greater emphasis on community policing. Despite a dominant role in intelligence gathering methods, it would not replace other approaches; it would complement them. The result is a combined intelligence strategy that blends the strengths of each intelligence gathering method and minimizes its weaknesses.[75]

However, eliciting community intelligence cannot be done in a haphazard way. It must be done systematically and with high precision and accuracy. Under a community policing model, this would be done by tackling community problems through a process of scanning, analysis, response and assessment. Scheider and Chapman elaborate:[76]

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> Departments first identify relevant or perceived crime problems (scanning), determine the nature and underlying conditions that give rise to those problems (analysis), craft and implement interventions that are linked to that analysis (response), and evaluate its effectiveness (assessment). The process is understood as continually involving feedback among the components. For instance, through in-depth analysis, agencies may come to define problems differently, effectively returning to the scanning phase. Likewise, an assessment may determine that a response was ineffective and that the problem requires additional analysis.

In the United Kingdom, such a method for enhanced scanning, analysis and assessment (to improve responses) has been pioneered by researchers Martin Innes and Colin Roberts at the *Universities' Police Science Institute.* They used a two-pronged method of information collection and analysis. The first method involves casual individual-level street interviews with average community residents, called a "conversation with a purpose" (CWAP).

The premise behind CWAPing is "to ensure that whenever police staff interact with a member of the public who was not a victim, witness or suspect to some other incident, they saw it as an opportunity to check on any concerns that the citizen may have and if there were, to collect intelligence upon it."[77] By CWAPing with local community members, beat officers can enhance their understanding about a particular area, and the challenges it faces.[78]

CWAPing is coupled with special software running on a tablet PC to make the interview more structured and better analyze the information from the interview. The process where the information from a CWAP is interfaced and analyzed by specialized software is called "intelligence from Neighborhood Security Interviews" (i-NSI). The i-NSI begins by focusing on a general geographic location where the intelligence is being gathered.

That location is broken down into a smaller subset of equally-sized cells which "equates to a sampling frame for collecting intelligence. Individuals are then selected for interviews [CWAPs] and these interactions are conducted by local police staff..."[79] The information from all of the interviews within limited geographic confines are then processed to match a correlation between problems and specific locations where several interview community members mention the same problem(s) taking place.[80] During the course of these interviews, a systematic way of identifying and corroborating any suspicious activity seen by neighbors that might indicate a terrorist planning can be identified.

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Conclusion

Radicalization is a multi-faceted process that cannot be boiled down to a single causal factor. As such, policy responses from law enforcement, the government and communities must reflect this complexity. This must include recognition from policymakers that stamping out terrorism cannot be done by enforcement actions alone without community help.

Law enforcement and Muslim communities need to strengthen their relations and recognize the separate but interrelated roles they play in safeguarding America. This relationship must be built on a firm foundation of trust and that trust must be premised on a respect for civil liberties. By involving all citizens – communities and law enforcement alike – in the effort to defeat terrorism, America can remain both safe and free.

Other critical issues that will be discussed in a future report include:

- **Demographic information and public opinion polling of Muslim Americans.** This looks into views on citizenship and national security issues.

- **An empirically-based assessment of post 9/11 US domestic terrorism.** The report uses a two-pronged analysis. First it examines databases tracking trial cases referred for prosecution and conviction rates for terror trials. Second it constructs its own original database of post-9/11 terror plots and incidents and includes a comparative analysis of Muslim and non-Muslim domestic terrorism.

- **Critique of current counterterrorism policies and tactics.** Using a case study approach, the report critically analyzes A) National Security Letters and Section 215 of the PATRIOT Act, B) NSA Domestic Wiretapping, C) Racial Profiling, and D) the Underregulation and Overuse of Informants.

- **Understanding and dealing with challenges to community policing.** Community policing is not without its difficulties, nor is it a panacea to shortcomings in intelligence gathering. These issues are addressed and make a case for why community policing should be at the center of an integrated domestic counterterrorism strategy.

- **Policy recommendations for a way forward that seeks to reconcile the separate, but interrelated interests of civil liberties and national security.**

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All have significant implications for policymakers, law enforcement, legislators and grassroots community leaders.

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Appendix A: The Qur'an on the Rules of the Use of Force and the Sanctity of Life

Extremists selectively quote certain verses out of context in order to justify their radical ideology and violent behavior. MPAC, like all other mainstream organizations believes such interpretations profoundly misrepresent the teachings of the Qur'an and Islam.

Dr. Maher Hathout, Senior Advisor to the Muslim Public Affairs Council and a leading Muslim American thinker on topics related to Islam and Muslims, offers a brief Qur'anic commentary:[81]

According to the Qur'an, faith in God is a call to life, not to death:

- *"O you who have attained faith, respond to God and the apostle whenever he calls you unto that which gives you life..."* (8:24)

Human diversity meant to be celebrated and reflected upon as a part of God's will, not a reason for conflict:

- *"...had your Lord so willed, he could have surely made all mankind one single community, but He willed it otherwise, and so we continue to have differences..."* (11:118-19)
- *"Oh humanity! Behold we have created you all out of a male and a female and have made you into nations and tribes, so that you may come to know one another. Verily the noblest of you in the sight of God is the most deeply conscious of Him."* (49:13)

All human beings, regardless of background have an inherent dignity and sanctity that is not to be violated:

- *"We have bestowed dignity upon the children of Adam."* (17:70)

Violence is permitted only against combatants and under the guide of self-defense and enforcing the rule of law to pursue justice:

- *"...take not life, which God hath made sacred, except by way of justice and law: thus doth He command you, that ye may learn wisdom."* (6:151)
- "And *fight in God's cause against those who initially wage war against you, but do not commit aggression for verily God does not love aggressors..."*

Killing of an innocent individual disregards the sanctity and dignity of a person so much as that God considers it to be a crime against all of humanity:

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- "*...because of this did we ordain onto the children of Israel that if anyone slays a human being* [in the punishment of murder or spreading corruption on Earth], *it is as though he had slain all mankind, whereas, if anyone saves a life it shall be as though he had saved the life of all mankind...*" (5:32)

Muslims must always act justly to others, regardless of the circumstances or the people:

- "*Let not the wrongdoing of others sway you into injustice.*" (5:8)
- "*Oh believers! Stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it be rich or poor: for God can best protect both...*" (4:135)

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According to a report by the *Combating Terrorism Center* on Ayman Al-Zawahiri's statements Al-Qaeda sees the conservative Muslim Brotherhood as a long-term strategic threat to its existence because of its non-violent activism. As the report notes:

"Hard-line Jihadist organizations like Al-Qai'da both fear and despise the Islamist political movement called the Muslim Brotherhood, in large part because the Brotherhood effectively garners support from the same constituencies that Jihadists are desperate to court. Because the Muslim Brotherhood and Jihadists share a similar ideological lineage, Jihadists tends to focus their criticism on the Brotherhood's willingness to participate in secular politics as a vehicle for attacking their Islamic credentials."

See: Jarret Brachman, Brian Fishman, and Joseph Felter, "The Power of Truth? Questions for Ayman Al-Zawahiri." *Combating Terrorism Center*, (April 21, 2008), P. 7. Available at: http://ctc.usma.edu/questions/CTC-Power_of_Truth_4-21-2008.pdf. Also see: Robert Leiken and Steven Brooke, "The Moderate Muslim Brotherhood." *Foreign Affairs*, (March/April 2007), P. 112-13. Available at: http://www.nixoncenter.org/publications/LeikenBrookeMB.pdf.
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Grassroots Campaign To Fight Terrorism Handbook 2005

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"Whosoever killed a human being – unless it be in punishment for murder or for spreading corruption on earth – it shall be as if he had killed all mankind; whereas, if anyone saves a life, it shall be as though he had saved the lives of all mankind." QURAN 5:33

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Our Vision: To establish a vibrant American Muslim community that will enrich American society through promoting the Islamic values of Mercy (21:107), Justice (4:135), Peace (8:61), Human Dignity (17:70), Freedom (2:256), and Equality for all (49:13). *Quranic verse references in parentheses*

Mission Statement: To effect positive change in public opinion and in policy with the purpose of realizing the vision. The scope of the mission includes, but is not limited to, the following: 1.) Promoting an American Muslim identity; 2.) Fostering an effective grassroots organization; 3.) Training a future generation of men and women who share our vision; 4.) Promoting an accurate portrayal of Islam and Muslims in mass media and popular culture; 5.) Educating the American public, both Muslim and non-Muslim about Islam; 6.) Building alliances with Muslim and non-Muslim groups; 7.) Cultivating relationships with opinion and decision makers.

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"But [since] good and evil cannot be equal, repel evil with something that is better. And lo, he, between whom and thyself was enmity, will become as though he were a warm friend" QURAN 41:34

Introduction

This guide is part of the MPAC's broader counter-terrorism and civil rights campaign and is intended for Imams, Muslim community leaders, law enforcement, and the media. More information about MPAC and what we stand for can be found on our website at http://www.mpac.org

For Imams and Muslim leaders, we present to you our "Recommended Mosque Guidelines" for your review and implementation. MPAC seeks to build a relationship with you and is always interested in your feedback. Please contact us if you have any questions at (213) 383-3443. Or if you decide to implement the guidelines, please let us know.

For law enforcement, we provide our "Mosque Etiquette" and "Cultural Considerations" for interacting with the Muslim community. These guidelines were developed with the U.S. Department of Justice and other ethnic communities to educate federal, state, and local agencies about interaction with opposite gender, dress, and perception of law enforcement in general.

For the media, in addition to what you'll find for Imams, Muslim leaders, and law enforcement, we have reprinted a series of articles from *"The Minaret"* magazine that deals with the subject at hand. Media interviews can be arranged by contacting MPAC at (213) 383-3443. If you are a local news affiliate, contact us and we will attempt to put you in touch with a local Muslim community leader in your area that can speak from a local perspective.

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Endorsements of the Campaign

الاتحاد الإسلامي في أمريكا الشمالية
The Islamic Society of North America

Statement of Endorsement from The Islamic Society of North America (ISNA)

The Islamic Society of North America is proud to endorse the National Anti-Terrorism Campaign as outlined in this booklet. As stated in our mission statement, ISNA aims to be an exemplary and unifying Islamic organization in North America that contributes to the betterment of the Muslim community and society at large. We believe that this campaign and its goal of protecting our mosques and our country against terrorism is an integral part of fulfilling our mission.

By endorsing this campaign, we stand with the majority of Muslims across the globe in rejecting terrorism perpetrated in the name of Islam, and vow to protect our mosques, our country, and our faith against those who wish to violate them. We do so while ensuring that we always guard the civil liberties we so deeply value as Americans.

As I have stated before, whenever Muslims have worked together, they have accomplished great things. As the nation's largest American Muslim umbrella organization, we are pleased to be an integral part of disseminating such an important campaign to mosques and other Islamic institutions across the nation.

Sincerely,

Dr. Sayyid M. Syeed
Secretary General, ISNA

U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535-0001

For Immediate Release
July 9, 2004

Washington D.C.
FBI National Press Office

Department Of Justice, Federal Bureau of Investigation Reinforce Commitment to working with leaders of Muslim, Sikh and Arab-American Communities

Washington, DC – Attorney General John Ashcroft and FBI Director Robert S. Mueller III recently met with national leaders of Muslim, Sikh and Arab-American organizations to address issues including hate crimes and civil rights violations, and to enlist the assistance of these communities in the current challenges in the war on terror. The Director's meeting was his sixth bi-annual meeting since September 2001 focusing on the FBI's commitment to the Muslim, Sikh and Arab-American communities.

Recent meetings focused on Director Mueller's directive given to the leaders of the FBI's 56 field offices to increase contacts with Muslim, Sikh and Arab-American leaders within their territories beginning July 9, 2004 and to personally address concerns and issues in the community during the 2004 threat period. This initiative is a continuation of a tasking Director Mueller ordered in late 2001 for each FBI field office to establish contacts with community organizations and leaders in their territories.

"Credible reporting indicates that al Qaeda is planning a large-scale attack in America in an effort to disrupt our democratic process. While we currently lack precise knowledge about when, where and how they are planning to attack, we are actively working to gain that knowledge. As part of that effort, we are again reaching out to our partners in the Muslim and Arab-American communities for any information they may have. Their assistance has proven valuable in the past, and we continue to seek their help in this time of enhanced threat," said Attorney General John Ashcroft. "In addition, our outreach to those perceived to be of Muslim, Arab and Sikh descent is part of our strong ongoing campaign to prosecute bias-motivated attacks. American ideals and values are not limited by race or religion, and freedom-loving people are our greatest allies in the war on terrorism. Today, we reaffirm our commitment to working with and protecting those who love freedom."

Dr. Mather Hathout of the Muslim Public Affairs Council (MPAC) said, "MPAC's National Grassroots Campaign to Fight Terrorism and Hate Crimes underscores the importance of the American Muslim community as part of the solution in its commitment to protect our country in partnership with law enforcement." The Attorney General and Director recognized the importance of MPAC's anti-terrorism initiatives, and encouraged similar efforts to educate the Muslim community about federal counterterrorism efforts.

Manjit Singh, President of the Sikh Mediawatch and Resource Task Force (SMART) stated, "The Justice Department has done a phenomenal job of bringing us together and they have shown that they recognize that many in the Sikh American community continue to face hate crimes. We have laid the foundation for consistent outreach from FBI field offices around the country, and we look forward to continuing to train new and existing agents to effectively work with the Sikh American community."

As Director Mueller stated in his recent testimony before the Senate Intelligence Committee, "none of these successes would have been possible without the extraordinary efforts of our partners in state and municipal law enforcement and our counterparts around the world. The Muslim, Iraqi, and Arab-American communities have also contributed a great deal to our success. On behalf of the FBI, I would like to thank those communities for their assistance and for their ongoing commitment to preventing acts of terrorism. All of us understand that the evolving threats we face today, and those we will face tomorrow, can only be defeated if we work together."

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Campaign Mission

"There is no compulsion in religion. Surely, the right way has become distinct from error; so whosoever refuses to be led by those who transgress, and believes in Allah, has surely grasped a strong handle, which knows no breaking." QURAN 2:256

In the Name of God, Most Gracious, Most Merciful

It is our duty as American Muslims to protect our country and to contribute to its betterment. Since September 11, 2001, intelligence reports indicate that international terrorist networks continue to plan attacks against the United States. In the face of such a frightening possibility, and being aware of the disastrous consequences that may befall the country as a whole and the Muslim community in particular, it is obvious that Muslims should be at the forefront of the effort to prevent this from happening. While we find ourselves in the same line with most American citizens, there is the fear that those who are hateful fanatics or special interest opportunists will insist to marginalize Muslims and depict them as suspects to be watched. We owe it to our religion, our country and our new generations to expose this fallacy and to change this perception. We ought to be proactive and demonstrate that we are part of the solution.

The Muslim Public Affairs Council (MPAC) took the initiative to launch the National Grassroots Campaign to Fight Terrorism. The campaign is composed of three main components:

1. *Religious awareness and education to create a strong Islamic environment that does not allow terrorism to be considered as a form of struggle in Islam. The different acceptable forms of struggle in Islam are part of the noble concept of jihad. This doesn't tolerate hurting civilians, suicidal destruction of human life or inflicting harm on non-combatants.*
2. *Controlling the inter-mosque environment and activities to prevent intruders and unauthorized, unknown persons from exploiting the open environment of the mosque, which is accessible to all who seek its spiritual, educational and social benefits. We know that the vast majority of mosques are already doing what is appropriate, yet the Qur'an teaches us that reminding will always benefit the community of believers (Qur'an 51:55). We have to emphasize that mosques are and should always be open, public places. There is no complete guarantee that the leadership can know about every person or every piece of literature that is brought to the mosque without authorization. A mosque that is applying the appropriate measures should not be held responsible for the behavior or mishaps caused by individuals.*
3. *Acquiring skills to detect any potential criminal activity to be able to thwart them; for this effort, open forums and training classes should be organized and facilitated by mosque officials and law enforcement agencies.*

While this plan is launched, Muslims should be equipped to prevent and report all kinds of hate speech and hate crimes; they should be encouraged to guard their civil liberties and exercise their right of dissent and free expression as guaranteed by the constitution and exercised within the bounds of the law of the land.

Your participation and support is critical for the success of such a campaign. Please find the material which may help in implementing this plan. You should find the following pieces in this handbook: the campaign's 4-step program; Mosque Guidelines, Mosque Etiquette: Cultural Considerations for Interacting with American Muslims and Arab Americans, and articles addressing terrorism from the Islamic perspective. If there is a need for more material or consultation, contact MPAC's national office at (202) 547-7701.

May God bless your efforts. Wa'salaamu Alaikum wa' Rahmatullah,

Dr. Maher Hathout
Coordinator of the Campaign

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Recommended Mosque Guidelines

"And worship Allah and associate naught with Him, and show kindness to parents, and to kindred, and orphans, and the needy, and to the neighbor who is a kinsman, and the neighbor who is a stranger, and the companion by your side, and the wayfarer, and those whom your right hands possess. Surely, Allah loves not the arrogant and the boastful;" QURAN 4:36

To date, MPAC's National Anti-Terrorism Campaign (NATC) has received the support of hundreds of Mosques across the country through the official endorsement of the Islamic Society of North America - the largest Muslim organization in the U.S.

The NATC guidelines are as follows:

1. *Mosques and Islamic centers should accurately maintain their financial records, with specific attention to sources of income and items of expenditure with accurate, professional and transparent bookkeeping and financial statements.*
2. *All activities within the mosque and Islamic centers should be authorized by legitimate, acknowledged leadership, and unauthorized private group meetings and speeches should be prohibited.*
3. *Most of our mosques do not have permits to allow overnight lodging facilities. It is therefore important that strict regulations about the opening and closing of the mosque be maintained.*
4. *Traffic inside the mosque should be directed and managed. Designated people should be given the responsibility of providing the specific services people need, such as information about prayer, classes, councils, cafeteria, etc.*
5. *During Fridays and other days when a large audience is expected, special attention should be paid to bags and other stored items, etc.*
6. *In case of guest speakers, it is prudent to know who the guest is and the content of the talk he or she is about to deliver.*
7. *Talks should focus on harmony, emphasizing the fact that we are Muslims and Americans. We need to represent the great values of our religion and constructively engage our country in dialogues leading to improved life for all people. Irresponsible rhetoric used should be avoided.*
8. *Mosques should have a relationship that involves public meetings with the FBI's regional office and local law enforcement.*
9. *Special programs should be arranged in cooperation with local law enforcement agencies to educate and train the community on how to really detect criminal activities.*
10. *The mosque should develop a rapport with local media and elected officials in the area. One spokesperson should be responsible for issuing statements and giving interviews that represent the authentic opinion of the legitimate authority of the institution.*
11. *Meetings and other programs should be held in cooperation with civil rights organizations for awareness and education.*
12. *It is highly recommended that the mosque be part of an interfaith dialogue and civic alliances and activities.*

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Mosque Etiquette For Law Enforcement

"Ye who believe! Be steadfast in the cause of Allah, bearing witness in equity; and let not a people's enmity incite you to act otherwise than with justice. Be always just. That is nearer to righteousness. And fear Allah. Surely, Allah is Aware of what you do." QURAN 5:8

Cultural Considerations for Interacting with American Muslims (During Non-Emergency or Non-Crisis Situations)

This material published in Building Cultural Competency Training: Arab, Muslim and Sikh Americans Presented by US Department of Justice Community Relations Service, Connecting Cultures, and Sikh Mediawatch and Resource Task Force (SMART).

Perception of Law Enforcement Officials

1. *Police are perceived in the same as in country of origin: corrupt, open to bribery, brutal*
2. *Arab and Muslim American males believe they are automatic suspects*
3. *There is generally a high respect for authority*
4. *Law enforcement agencies are perceived to be the same authority (FBI, INS, US Marshal, Customs, LEO)*
5. *There is a general mistrust and a belief that homes, phone use, financial transactions are bugged or traced*

Dress

1. *Modest dress for men and women*
2. *Men may have beard, wear skullcap or loose gown*
3. *Women may cover hair and face with a scarf (Hijab), and wear loose attire*
4. *Avoid touching opposite gender or removing scarf forcibly*
5. *If scarf must be removed, request her to remove Hijab herself in private area away from the view of other males, or have female officer remove*

Handling Religious Texts or Quran (Holy Book for Muslims)

1. *Allah is Arabic word for "The God" (of Abraham)*
2. *Do not throw, write on, or place something on top of Quran or place it on the floor*
3. *It is common to keep a Quran in car, purse, bags, etc.*

Visiting a Mosque or a Masjid

1. *Separate entrances are sometimes used for men and women*
2. *Avoid stepping on prayer rug / carpet with shoes, remove shoes or place paper/mat over carpet to walk on*
3. *Prayer occurs five times a day and it is common for there to be activity at the mosque between dawn to night*
4. *Avoid interrupting, walking in front of or trying to talk to person during prayer*
5. *Female officer may cover hair with hat/scarf*
6. *Friday is day of communal worship; lasts 60 - 90 minutes in early afternoon*

Interaction with Opposite Gender

1. *Be mindful of modesty issues*
2. *Do not physically touch opposite sex*
3. *Avoid direct consistent eye contact*
4. *Maintain physical distance*
5. *Interaction should be formal*
6. *If available, use same gender officer to interface with same gender*

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"And abuse not those whom they call upon besides Allah, lest they, out of spite, abuse Allah in their ignorance. Thus unto every people have We caused their doings to seem fair. Then unto their Lord is their return; And He will inform them of what they used to do." QURAN 6:108

The Suicide Culture | By Dr. Maher Hathout, April 2004

The idea of glorifying self-destruction to destroy others for whatever cause is as ancient as pre-Biblical times. We can fairly say that this style of fighting was scarce and rare throughout the history of Islamic civilization with the exception of the aberration of the assassins in the early Dark Ages. It is very alarming to see that this ugly, anti-Islam, anti-nature and anti-life phenomena is reappearing and growing among Muslims nowadays.

In spite of our deep understanding and sympathy towards the Palestinian suffering and the frustration of trying to move the conscience of the world through peaceful means and throwing rocks, and in spite of our condemnation of the brutal practices of the Sharon apartheid regime, we still took a clear stand against suicide bombing that compels a person use his or her body as a weapon to destroy noncombatants.

We took that stand conscientiously based on our understanding of Islam, as well as the awareness that once we glorify death and cheapen human life, it takes us to a downhill spiral that does not limit itself to one field or one cause. Now we see what we were dreading happening daily, resulting in the killing of Iraqis in Iraq, the Shias, in Pakistan, the Kurds in Mosul. Suicide killing has become a "modus operandi," not a desperate aberration.

It is horrifying that this is a way to settle differences or express anger, soon it may become a way of revenge or even to achieve nothing but to die!

We claim to believe in a religion that is a call to life *"O ye who have attained to faith, respond to God and His apostle as He calls you to what will give you life,"* (8:24), that endows all the sacredness imaginable to human life *"If anyone slays a human being – unless it be in punishment for murder or for spreading corruption on earth – it shall be as though he had slain all mankind; whereas, if anyone saves a life, it shall be as though he had saved the lives of all mankind,"* (5:32), that orders *"Do not throw yourself into destruction by our own hands"* (2:195), and that showed us through the example of Prophet Muhammad and the treaty of Hudaybiyah that utmost self-restraint and flexibility are necessary in order to avoid exposing the lives of the inhabitants of Mecca to danger.

If we truly believe in this religion, we ought to go through very serious questioning and soul-searching.

How did we, as a group, fail to nip this ugly phenomenon in the bud? How did we indulge in the luxury of theoretical debates, and craft all kinds of euphemisms to let this go on, spill out and grow?

How long will demagoguery, emotionalism, and superficiality keep fueling the fire of hatred by the lives of zealots?

Did the intellectual and spiritual leadership of the umma take on this issue with its due seriousness? If they did not, isn't it about time? How long will demagoguery, emotionalism, and superficiality keep fueling the fire of hatred by the lives of zealots?

How long will Islam be exploited to mislead the credulous young and send them to die for the unknown agendas that continue to benefit the unknown sharks and tycoons?

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In Whose Name Do They Kill? | By Dr. Aslam Abdullah, April 2004

Over a million people end their lives every year globally by committing suicide. Those killed also include many that never intended to commit suicide. Suicide bombers first appeared among the Jewish Sicaris in the 1st century. Ten centuries later, Muslim Hashishiyun practiced it while Asians in the 18th century revived it. The beginning of the 21st century has seen an unprecedented rise in incidents of suicide killing.

The world has witnessed some 400 suicide bombings employed by about 15 different outfits in different countries between 1980 to 2000. The figure has gone up considerably since then.

The fear now stalking the people's minds is whether suicide bombers will now resort to mass-murder — methods employing the use of the nuclear, chemical and biological weapons. All monotheistic religions believe that God is the creator, and the giver of life, and He alone has the right to end it. Yet, the followers of this message have always fallen short of respecting the most essential divine principle of life. In recent times, Jews, Muslims and Christians have equally raced against each other in violating the sanctity of human life under various labels.

Christian Hitler's Germany caused the holocaust of the Jewish people. Christian Orthodox Serbs caused hundreds of Catholics and Muslims to perish through systematic genocide committed in the mid-1990s.

The subjugation and massacres of more than 95 percent of native citizens of what became the United States was caused by people who were influenced by Christian values and faith. Millions of blacks perished during slavery officially practiced by nations that held the banner of Christianity, Judaism and Islam higher.

Over five decades, thousands of Palestinian Muslims and Christians have been massacred by the state taking pride in its Judaic roots. Over 80,000 killings have occurred in the Indian side of Kashmir at the hands of people who claim to be the followers of Hinduism. More than 3,000 people perished in the United States when those claiming to be Muslims led the suicidal attacks in New York and Washington. And the killing of civilian Jews at the hands of the occupied Palestinians have been hitting the headlines for almost two decades.

Religious justification of taking human life has become a popular hobby of public officials and religious scholars in our times. Everyone gives religious and political explanations for their action of taking life, without realizing that life is a sacred trust that the Divine has reposed in human hands since the time of original creation.

Religious justification of taking human life has become a popular hobby of public officials and religious scholars in our times. Everyone gives religious and political explanations for their action of taking life, without realizing that life is a sacred trust that the Divine has reposed in human hands since the time of original creation. Rather than defending human life and saving it from those who often intend to destroy it in name of their religion, region, nation, ethnicity and race, scholars, laity and clergy in general play the politics of words where each tries to prove to the world the inhumanity of the other thus creating more tensions, controversies and reasons for further killing.

According to the Muslim belief system, the divine message as revealed through successive generations of human beings can be summarized in the following verse of the final scripture as revealed to Prophet Muhammad: *"Do not kill yourselves, for Allah is compassionate towards you. Whoever does so, in transgression and wrongfully, We shall roast in a fire, and that is an easy matter for Allah"* (4:29-30).

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"And if any one of the idolaters seeks protection of thee, grant him protection so that he may hear the Word of Allah; then convey him to his place of security. That is because they are a people who have no knowledge." QURAN 9:6

Respecting and protecting human life are acts of submission and worshipping to God. Submission has many great lessons for all of us that hear and watch on TV the scenes of a place after suicide bombing. The bomb does not know the difference between a soldier, a child, a mother, a grandfather or a grandmother. It is an awful and horrendous scene that we all wish to never see or witness.

Islam totally disagrees with this kind of behavior and condemns the action that causes this. Sometimes some people try to argue that their enemy is killing children and mothers as well and that is why they justify actions that result in their destruction. But according to the divine faith, evil must be not repaid with evil and animosity must not be returned with animosity.

Those who claim to the follow the final divine scripture must live up to highest moral standards, not to evil choices, and respect human life regardless of the label that it carries. The Divine demands from the follower of His message to work for peace and justice through peaceful means, not through violence or anger. The Divine demands that His followers should never lower their moral standards to the standard of the people who fight them. Following God's law guarantees peace and victory while breaking it only guarantees more misery to all those involved.

The Quranic verses are very distinct on the subject: *"You shall spend in the cause of God; do not throw yourselves with your own hands into destruction. You shall be charitable; God loves the charitable"* (2:195).

"O you who believe, do not consume each other's properties illicitly - only mutually acceptable transactions are permitted. You shall not kill yourselves. God is Merciful towards you."

"God also wants us to make peace with our neighbors and the people we know, even with our enemies" (4:29).

"If they resort to peace, so shall you, and put your trust in God. He is the Hearer, the Omniscient" (8:61).

"You shall resort to pardon, advocate tolerance, and disregard the ignorant" (7:199). *"God advocates justice, charity, and regarding the relatives. And He forbids evil, vice, and transgression. He enlightens you, that you may take heed"* (16:90).

"O people, we created you from the same male and female, and rendered you distinct peoples and tribes, that you may recognize one another. The best among you in the sight of God is the most righteous. God is Omniscient, Cognizant" (49:13).

Peace is not an alternative; it is a necessity for the true comprehension of the divine message. One does not attack those who are the intended recipients of the divine message. If we want to show our commitment to peace, then we must go beyond words and rhetoric. The least that we can do is to express our condemnation of the killing done in the name of religion regardless of the victims and perpetrators. The self-killing that is directed deliberately at innocent people is not part of the divine faith: *"None despairs of God's grace except the disbelieving people"* (12:87).

The Divine demands from the follower of His message to work for peace and justice through peaceful means, not through violence or anger.

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Terror is Not Islam | By Dr. Kan Ann Owen, April 2004

The Quran states that Muslims may *"Fight in the cause of God against those who fight against you, but do not transgress limits. Lo! God loves not aggressors..."* (2:190).

What are those limits? *"It is not fitting for an Apostle (believer in Islam) that he should have Prisoners of war until he has thoroughly subdued the land... You look for the temporal goods of this world, but God looks to the Hereafter: and God is Exalted in Might, Wise"* (8:67).

The clear implication here is that war is permitted only for self defense and not for "territory or trade, revenge or military glory." (Comment on the above verse by Abdullah Yusuf Ali, The Holy Quran: Text, Translation and Commentary).

Civilian slaughter is clearly forbidden: *"Let there be no hostility except to those who practice oppression"* (2:193).

Suicide is also clearly forbidden: *"Make not your hands contribute to (your) destruction; but do good; for God loves those who do good"* (2:194).

Certain recent television broadcasts and even admissions by persons alleging themselves to be Muslim have rationalized or justified what is clearly forbidden by God's revelation to the Prophet Muhammad. These individuals have stated they were taught that if they commit several forbidden acts at once – slaughter of non-combatants, suicide – they will be given a special place at the side of God once they ascend to heaven. Perhaps they were shown this verse: *"Think not of those who are slain in God's way as dead. Nay, they are alive, finding their sustenance in the presence of their Lord"* (3:169).

Yet, this passage does not contradict the strict conditions on those who would use force: *"Let there be no hostility except to those who practice oppression"* (2:193). And it is clearly implied that it is God and God only who chooses martyrs: *"He chooses of his apostles for the purpose whom he pleases. So believe in God and His apostles: and if ye believe and do right, you have a reward without measure"* (3:179).

> *Civilian slaughter is clearly forbidden:*
>
> *"Let there be no hostility except to those who practice oppression" (2:193)*

The particular meaning of Islam is submission. The frail human will is yoked in a positive and rational, not slavish and degrading, sense to a higher, more benevolent and compassionate will and deeply, lovingly connected to creation. Examples formally recognized in Islam include Abraham, Moses and Jesus. Indeed, limitation of truth to one culture is not recognized in the Quran: *"To God belong the East and the West. Withersoever you turn, there is the Face of God"* (2:115). In the words of Rabia Harris, a Muslim Peace Fellow with the Fellowship of Reconciliation, "Truth is not limited, but is to be discovered and honored everywhere. Both traditional and modern cultures have something important to contribute to the service and contemplation of God."

And God is above all merciful and benevolent as He adjures humans to be. The prayers spoken by 1.5 billion Muslims five times a day begin with the words, "In the name of God, the Beneficent, the Merciful..." Clearly, if mercy is the primary quality of God, it is the quality Muslims are first called upon to imitate and practice. All Muslims are instructed to pursue this path of spiritual evolution toward this quality, and this struggle

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"Say, 'O people of the Book (Christians and Jews)! Come to a word equal between us and you - that we worship none but Allah, and that we associate no partner with Him, and that some of us take not others for Lords beside Allah.'" QURAN 3:64

toward the good is called jihad, and no word in modern times has been more misunderstood or more misinterpreted by Muslim and non-Muslim alike.

For in that rare state of spiritual grace, concern for others and humanity at large displaces vicious egotism and violent greed, resulting in those astonishing human beings we call men and women for others. Such persons could no more turn themselves into flying bombs than they themselves could sprout wings and fly... not if they believe in the submission to God which is the core of Islam.

It is time for all who share this planet to contemplate the words of St. Paul: "The spirit of the word gives life but the letter kills." Individual passages in both the Quran and the Old and New Testaments can be angry, even vilifying, but the spirit of religion and its behavioral disciplines are loving and above all merciful, demanding humility and a renunciation of hate both in the soul and society.

I implore those who call themselves Muslims, Christians, Jews or anything else while committing irreligious acts to have mercy on the hope religion offers... particularly Islam, which is providing help to many young men and women in the West seeking a disciplined life of sobriety, education, sexual and moral responsibility, leading to that victory one may call oneness with God and others merely call responsibility, or grace.

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The Real Origins of Suicide Bombings | April 2004

There are many motives for suicide attacks: religious beliefs, nationalistic ideologies, obedience to charismatic and authoritarian leaders, or desire for political change. The modus operandi may vary, whether to use one or several suicide bombers, whether to use men or women. The explosives can be concealed on the human body, on an animal, or in a vehicle, and conveyed by sea, or over land. The targets can be senior government officials, military targets, economic installations, or public transport vehicles, while the level of operations can range from scores of attacks to solitary or sporadic attacks.

As of the beginning of 2004, there have been well over 300 suicide attacks carried out in 14 countries by 17 organizations

For most of the organizations who have used these tactics, the common denominator is their success in causing large-scale casualties and negatively influencing public morale, while at the same time entirely failing to change regimes or to force their governments to surrender to their strategic demands.

As of the beginning of 2004, there have been well over 300 suicide attacks carried out in 14 countries by 17 organizations.

Modern suicide bombings was introduced by Hezbullah in 1983 in Lebanon, and it was in Lebanon that this modus operandi was refined throughout the 1980s. During the 1990s, the attacks continue, but declined in frequency. All together, 50 suicide bombings were carried by secular communist and nationalist organizations, including the Lebanese Communist Party, the Socialist-Nasserist Organization, the Syrian Ba'ath Party, the PPS, and the other half by Hezbullah and Amal.

The perpetrators of the suicide bombings in Lebanon did not achieve

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strategic results. Hezballah succeeded in hastening the withdrawal of the foreign forces from Lebanon and harassed the IDF in Lebanon. However, the suicide bombings were not a significant factor in Israel's decision to withdraw from the security zone. Moreover, in the 1990s, Hezbullah drastically reduced the number of suicide attacks due to "rational" cost-benefit considerations.

The Lebanese success in this sphere was mostly in achieving respect; the group became a symbol of sacrifice and a source of inspiration for several organizations worldwide. In Sri Lanka, Turkey, Egypt, Chechnya and others, militants adopted and even improved on the suicide bombings of the Lebanese group.

The most prominent of these organizations was the LTTE, "The Tamil Tigers." This organization, currently fighting for an independent Tamil state, began carrying out suicide bombings in 1987 and has since perpetrated over 200 such attacks. These bombings were particularly lethal and caused hundreds of casualties. Their targets are usually senior political and military officials in Sri Lanka. This organization is the only one in the world to succeed in assassinating two heads of state by suicide bombings. A suicide attack killed former India Prime Minister, Rajiv Gandhi, while he was on an election campaign tour in Madras on May 21, 1991. Then, in May 1993, President Primadassa of Sri Lanka, was killed by a suicide attacker, along with 22 other people. On Dec. 17, 1999, the organization attempted to assassinate Chandrika Kumaratunga, President of Sri Lanka, using a female suicide bomber who blew herself up at an election rally. The President was wounded but survived the attack.

The LTTE has also targeted politicians from the Singhalese majority, pragmatic politicians from the Tamil minority, and senior military officers, as well as boats, command centers, and economic installations, such as fuel depots. The organization has never been particularly mindful of the safety of passers-by and has never spared innocent bystanders who happened to be in the vicinity of their attacks.

The perpetrators of the suicide bombings in Lebanon did not achieve strategic results.

The LTTE suicide squads draw their inspiration from a combination of a strong nationalistic motive and the charismatic leadership of the head of the organization, Parabakan. The LTTE is still the most active group using suicide terrorism, but has so far not succeeded in achieving its declared strategic aim — an independent Tamil state.

The Kurdish PKK, a secessionist "secular" movement, perpetrated 16 suicide attacks in the years 1996-1999 (plus five foiled attacks), which killed 20 people and wounded scores. However, these suicide attacks did little to persuade the Turkish government to accept the organization's demand for Kurdish autonomy. The PKK suicide attacks were inspired and carried out on the orders of the organization's charismatic leader, Ocalan, who was perceived by the members of his organization as a "Light to the Nations." Following his arrest and death sentence in 1999, his organization ceased its suicide bombings.

The Egyptian organizations, "Gama'a al-Islamiyya" and "Egyptian Jihad," carried out two suicide attacks—one in Croatia in October 1995, and the other at the Egyptian embassy in Karachi, Pakistan in November 1995.

Osama bin Laden's organization was responsible for two simultaneous suicide bombings against the U.S. embassies in Nairobi and Dar-es-Salaam, in which 224 people were killed and about five thousand wound-

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"Mankind, We have created you from a male and a female; and We have made you tribes and sub-tribes that you may know one another. Verily, the most honorable among you, in the sight of Allah, is he who is the most righteous among you." QURAN 49:13

ed. But these attacks, too, failed to obtain their strategic political aims beyond the casualties which they caused.

Another suicide attack carried out apparently by al-Qaida, or at least in collaboration with it, was perpetrated by two suicide bombers who blew themselves up in a boat in Aden harbor next to the USS Cole, killing 17 U.S. sailors.

In June and July 2000, Chechen militants fighting against the Russian army joined the circle of suicide bombers. To date, the Chechnyan suicide bombers have carried out at least seven attacks, in which scores were wounded and over one hundred Russian soldiers and police officers were killed.

In India, at least two suicide attacks have been carried out against military targets. The most recent was perpetrated against an army camp in Srinigar, by a young British citizen of Pakistani origin who was recruited into an organization called "Jaish Muhammad" (Muhammad's Army). Ten soldiers were killed in this attack.

...one's life is the property of God, and that to destroy one's own life is to wrongly assert dominion over what is God's.

Religious Views on Suicide | April 2004

Suicide is the act of ending one's own life. It is considered a sin in many religions and a crime in some jurisdictions. On the other hand, some cultures have viewed it as an honorable way to exit certain shameful or hopeless situations.

To be considered suicide, the death must be a central component and intention of the act and not just an almost certain consequence. Hence, suicide bombing is considered a kind of bombing rather than a kind of suicide, while martyrdom is characterized by self-sacrifice in the service of others in emergencies and reckless bravery in battle usually escape religious or legal proscription.

Buddhism | According to Buddhism, our past heavily influences our present. Furthermore, what an individual does in the present moment influences his or her future, in this life or the next. This is cause and effect, as taught by Gautama Buddha. Otherwise known as karma, intentional action by mind, body or speech has a reaction and its repercussion is the reason behind the conditions and differences we come across in the world.

One's suffering primarily originates from past negative deeds or just from being in samsara (the cycle of birth and death). Another reason for the prevalent suffering we experience is due to impermanence. Since everything is in a constant state of flux, we experience unsatisfactoriness with the fleeting events of life. To break out of samsara, one simply must realize their true nature, by enlightenment in the present moment; this is Nirvana.

For Buddhists, since the first precept is to refrain from the destruction of life (including oneself), suicide is clearly considered a negative form of action. But despite this view, an ancient Asian ideology similar to seppuku persists to influence Buddhists by, when under oppression, committing the act of "honorable" suicide. In modern times, Tibetan monks have used this ideal in order to protest the People's Republic of China's occupation of Tibet and the China's supposed human rights violations against Tibetans.

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Christianity | Christianity is traditionally opposed to suicide and assisted suicide. In Catholicism specifically, suicide has been considered a grave and sometimes mortal sin. The chief Catholic argument is that one's life is the property of God, and that to destroy one's own life is to wrongly assert dominion over what is God's. This argument runs into a famous counter-argument by David Hume, who noted that if it is wrong to take life when a person would naturally live, it must be wrong to save life when a person would naturally die, as this too seems to be contravening God's will.

On a different line, many Christians believe in the sanctity of human life, a principle which, broadly speaking, says that all human life is sacred – a wonderful, even miraculous creation of the divine God – and every effort must be made to save and preserve it whenever possible. Nevertheless, even while believing that suicide is generally wrong, liberal Christians may well recognise that people who commit suicide are severely distressed and so believe that the loving God of Christianity can forgive such an act.

The types of martyrs produced,

or the likelihood of producing a martyr at all,

depend on the degree of political independence

and state of internal authority of a society.

Hinduism | In Hinduism, murdering one's own body is considered equally sinful as murdering another. However, under various circumstances it is considered acceptable to end one's life by fasting. This practice, known as prayopavesha, requires so much time and will power that there is no danger of acting on an impulse. It also allows time for the individual to settle all worldly affairs, to ponder life and to draw close to God.

Islam | Like other Abrahamic religions, Islam views suicide strictly as sinful and detrimental to ones spiritual journey. However, human beings are said to be liable to committing mistakes, thus, God forgives the sins and wipes them out if the individual is truly sincere in repentance, true to the causes and determined in intention.

For those who believed, but eventually disbelieved in God in the end, the result seems unambiguously negative. In the Quran, although God is said to be 'the Most Merciful, the Most Kind' and forgives all sins, the great sin of unbelief is deemed unforgivable.

Despite this, there is an unpopular view that actions committed in the course of jihad resulting in one's own death are not considered suicide, even if by the nature of the act death is assured (e.g. suicide bombing). Such acts are instead considered a form of martyrdom. However, there is Quranic evidence to the contrary stating those involved in the killing of the innocent are wrongdoers and transgressors. Nevertheless, some claim Islam does permit the use of suicide only against the unjust and oppressors if one feels there is absolutely no other option available and life otherwise would end in death.

Judaism | Judaism views suicide as one of the most serious of sins. Suicide has always been forbidden by Jewish law, except for three specific cases. If one is being forced by someone to commit murder, forced to commit an act of idolatry, or forced to commit adultery or incest, then in those cases alone would suicide be permissible. However, outside those cases, suicide is forbidden, and this includes taking part of assisted suicide. One may not ask someone to assist in killing themselves for two separate reasons: (a) killing oneself is forbidden, and (b) one is then making someone else an accomplice to a sin.

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Frequently Asked Questions

"You are the best people raised for the good of mankind; you enjoin good and forbid evil and believe in Allah." QURAN 3:110

Frequently Asked Questions (FAQ's) about MPAC's National Anti-Terrorism Campaign (NATC)

Why this campaign?

Whether we Muslims in America like it or not, our fellow citizens continue to be confused, if not outright concerned about our community (no matter the ethnic persuasion).

Since 9/11 the detractors and foes of American Muslims have been effective in distorting Islam and Muslims. Unfortunately, their efforts are more than a mere annoyance; MPAC has seen their real impact on policy makers, law enforcement, and the public at large.

If another 9/11-like attack is committed, American Muslims will be in an untenable position amongst our fellow citizens. We must do more now before, God forbid, something happens.

This campaign is an organized, cogent and effective effort to counter the distortions of our community and faith.

It also intends to send a clear message to our fellow citizens that terrorism is not a part of our faith, and that we stand shoulder-to-shoulder with them against terrorism and religious extremism.

Why does this campaign focus just on Muslims? Why not extremists amongst Christians and Jews?

Without doubt Christian extremists such as Pat Robertson, Jerry Falwell, and Franklin Graham or Jewish extremists such as Daniel Pipes and Steve Emerson need to be held accountable for their falsehoods and distortions. But let's face it, if another terrorist attack occurs Christians and Jews will not be the ones rounded up or have their civil liberties effected.

Our community must deal in reality, understand how we are viewed in the nation, and work from that context to better our situation. Deflecting legitimate questions about Muslim extremism towards extremism amongst Christians and Jews will not help protect our community.

By engaging the FBI and law enforcement, aren't we collaborating with the very agencies trampling our civil rights?

Actually, it has been MPAC's experience that working with local FBI field offices helps protect our civil liberties. In working with these offices (or local law enforcement in general) MPAC has found the office becomes educated about the community and Islam and ultimately moderates their viewpoints.

Engagement of local law enforcement and local FBI field offices is absolutely critical in protecting our civil liberties. It counters the basic human weakness to make assumptions about a person/community which they have never been in contact with before.

Is MPAC asking the community to "spy" on each other?

Absolutely not. The thought is anathema to our purpose as an organization.

Rather, this campaign asks community leaders and members to simply be aware of those who are meeting in their Mosques and institutions.

This awareness should not lead to stifling of free speech or expression of thought. But it is when legitimate differences with our government's policies translate into un-Islamic and illegal behavior the Quran obligates us to speak up and act:

> *"O you who have attained to faith! Be ever steadfast in upholding equity, bearing witness to the truth for the sake of God, even though it be against your own selves or your parents and kinsfolk. Whether the person concerned be rich or poor, God's claim takes precedence over [the claims of] either of them. Do not, then, follow your own desires, lest you swerve from justice: for if you distort [the truth], behold, God is indeed aware of all that you do!"* QURAN 4:135

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How do I participate in the campaign?

There are seven steps to take if your Mosque or institution would like to join MPAC's campaign:

1. Read the guidelines: Have your Mosque/institution read and agree to the "Mosque Guidelines" that MPAC has created (see our website at http://www.mpac.org/atc/guidelines for details)

2. Contact MPAC at (213) 383-3443 (nader@mpac.org) to let MPAC know you wish to participate in this effort. We will list your Mosque/organization as a participant.

3. Conduct a community meeting to introduce the campaign to your membership and answer any questions. Representatives of MPAC are available to assist in this effort.

4. Conduct a press conference to announce your institution's joining MPAC's campaign.

5. Initiate meetings with local police, FBI, city council members, mayor, and any other public officials to make them aware of your participation.

6. Develop a series of lectures or Jumma Khutbah's around specific Quranic verses that emphasize terrorism not being a valid means of resistance in Islam (see selected Quranic verses at http://www.mpac.org/atc/verses).

7. Give MPAC feedback throughout the process on how to improve this effort.

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