

**Statement before the Senate Homeland Security and
Government Affairs Committee**

***“THE FORT HOOD ATTACK:
A PRELIMINARY ASSESSMENT”***

A Statement by

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Testimony of the Honorable Juan C. Zarate
Senate Committee on Homeland Security and Governmental Affairs
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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.

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

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 Qaidaled 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

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 soldier) at an army recruiting station in Arkansas by an American Muslim convert;
- The Bronx 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

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.

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 Hasan 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.

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.

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

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.

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.

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

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?

- 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 that 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.

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.