

**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

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.

Senator Collins.