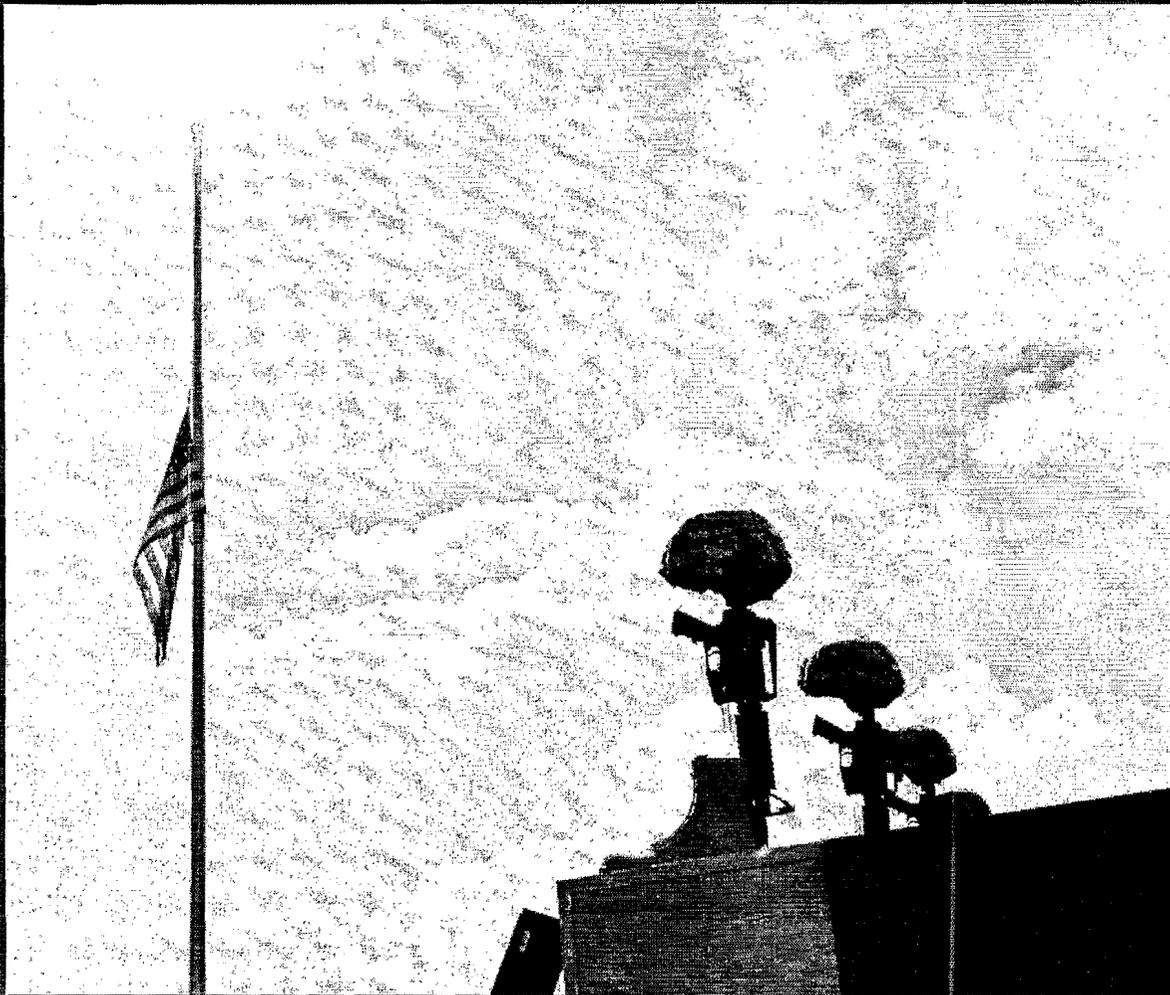


A TICKING TIME BOMB

COUNTERTERRORISM LESSONS FROM THE U.S. GOVERNMENT'S
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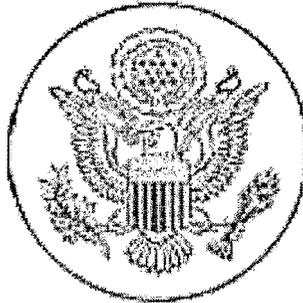


A Special Report by
Joseph I. Lieberman, Chairman
Susan M. Collins, Ranking Member
U.S. Senate Committee on Homeland Security and Governmental Affairs
Washington D.C. 20510
February 2011

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**UNITED STATES SENATE COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS**

FEBRUARY 3, 2011

**“A Ticking Time Bomb:”
Counterterrorism Lessons From
The U.S. Government’s Failure To Prevent The Fort Hood Attack**

**By
Joseph I. Lieberman, Chairman
Susan M. Collins, Ranking Member
Committee On Homeland Security And Governmental Affairs
United States Senate**

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EXECUTIVE SUMMARY

On November 5, 2009, a lone attacker strode into the deployment center at Fort Hood, Texas. Moments later, 13 Department of Defense (DoD) employees were dead and another 32 were wounded in the worst terrorist attack on U.S. soil since September 11, 2001.

The U.S. Senate Committee on Homeland Security and Governmental Affairs launched an investigation of the events preceding the attack with two purposes: (1) to assess the information that the U.S. Government possessed prior to the attack and the actions that it took or failed to take in response to that information; and (2) to identify steps necessary to protect the United States against future acts of terrorism by homegrown violent Islamist extremists. This investigation flows from the Committee's four-year, bipartisan review of the threat of violent Islamist extremism to our homeland which has included numerous briefings, hearings, consultations, and the publication of a staff report in 2008 concerning the internet and terrorism.

In our investigation of the Fort Hood attack, we have been cognizant of the record of success by DoD and the Federal Bureau of Investigation (FBI) in the ten years since 9/11. We recognize that detection and interdiction of lone wolf terrorists is one of the most difficult challenges facing our law enforcement and intelligence agencies. Every day, these agencies are presented with myriad leads that require the exercise of sound judgment to determine which to pursue and which to close out. Leaders must allocate their time, attention, and inherently limited resources on the highest priority cases. In addition, the individual accused of the Fort Hood attack, Army Major Nidal Malik Hasan, is a U.S. citizen. Even where there is evidence that a U.S. citizen may be radicalizing, the Constitution appropriately limits the actions that government can take.

In presenting our findings and recommendations below, we are grateful for the service given by our nation's military, law enforcement, and intelligence personnel. Our aim in this investigation was not to single out individual negligent judgment; such instances are for the agencies to deal with, as appropriate. Nor do we seek to second-guess reasonable judgments. Instead, we act under our Constitutional duty to oversee the Executive Branch's performance and thus to determine – independently from the Executive Branch's own assessment – what, if any, systemic issues are exposed by the Hasan case. The specific facts uncovered by the Committee's investigation necessarily led us to focus our key findings and recommendations on DoD and the FBI. But the Hasan case also evidences the need for a more comprehensive and coordinated approach to counterradicalization and homegrown terrorism across all agencies, including federal, state, and local entities, which are critical to keeping our country safe.

Our basic conclusion is as follows: Although neither DoD nor the FBI had specific information concerning the time, place, or nature of the attack, they collectively had sufficient information to have detected Hasan's radicalization to violent Islamist extremism but failed both to understand and to act on it. Our investigation found specific and systemic failures in the government's handling of the Hasan case and raises additional concerns about what may be broader systemic issues.

Both the FBI and DoD possessed information indicating Hasan's radicalization to violent Islamist extremism. And, to the FBI's credit, it flagged Hasan from among the chaff of

intelligence collection for additional scrutiny. However, the FBI and DoD together failed to recognize and to link the information that they possessed about Hasan: (1) Hasan was a military officer who lived under a regimented system with strict officership and security standards, standards which his behavior during his military medical training violated; and (2) the government had [REDACTED] communications from Hasan to a suspected terrorist, [REDACTED], who was involved in anti-American activities and the subject of an unrelated FBI terrorism investigation. This individual will be referred to as the “Suspected Terrorist” in this report.¹ Although both the public and the private signs of Hasan’s radicalization to violent Islamist extremism while on active duty were known to government officials, a string of failures prevented these officials from intervening against him prior to the attack.

- Evidence of Hasan’s radicalization to violent Islamist extremism was on full display to his superiors and colleagues during his military medical training. An instructor and a colleague each referred to Hasan as a “ticking time bomb.” Not only was no action taken to discipline or discharge him, but also his Officer Evaluation Reports sanitized his obsession with violent Islamist extremism into praiseworthy research on counterterrorism.
- FBI Joint Terrorism Task Forces (JTTFs) are units in FBI field offices that conduct counterterrorism investigations and are staffed by FBI agents and employees from other federal, state, and local agencies. A JTTF learned that Hasan was communicating with the Suspected Terrorist, flagged Hasan’s initial [REDACTED] communications for further review, and passed them to a second JTTF for an inquiry. However, the ensuing inquiry failed to identify the totality of Hasan’s communications and to inform Hasan’s military chain of command and Army security officials of the fact that he was communicating with a suspected violent Islamist extremist – a shocking course of conduct for a U.S. military officer. Instead, the JTTF inquiry relied on Hasan’s erroneous Officer Evaluation Reports and ultimately dismissed his communications as legitimate research.
- The JTTF that had reviewed the initial [REDACTED] communications dismissed the second JTTF’s work as “slim” but eventually dropped the matter rather than cause a bureaucratic confrontation. The JTTFs now even dispute the extent to which they were in contact with each other in this case. Nonetheless, the JTTFs never raised the dispute to FBI headquarters for resolution, and entities in FBI headquarters responsible for coordination among field offices never acted. As a result, the FBI’s inquiry into Hasan ended prematurely.

As noted, DoD possessed compelling evidence that Hasan embraced views so extreme that it should have disciplined him or discharged him from the military, but DoD failed to take action against him. Indeed, a number of policies on commanders’ authority, extremism, and

¹ The redactions in this report were required by the Intelligence Community pursuant to Executive Branch classification policies and are the result of intensive negotiations spanning three months. We take issue with the extent of these redactions, some of which we believe are unjustified, but we have consented to them in order to produce this report in a timely manner.

personnel gave supervisors in his chain of command the authority to take such actions. It is clear from this failure that DoD lacks the institutional culture, through updated policies and training, sufficient to inform commanders and all levels of servicemembers how to identify radicalization to violent Islamist extremism and to distinguish this ideology from the peaceful practice of Islam.

To address this failure, the Department of Defense should confront the threat of radicalization to violent Islamist extremism among servicemembers explicitly and directly and strengthen associated policies and training. DoD launched an extensive internal review after the Fort Hood attack by commissioning a review led by two former senior DoD officials (former Army Secretary Togo West and retired Chief of Naval Operations Admiral Vern Clark) and requiring multiple reviews across the Military Services of force protection and related issues. DoD has also instituted a regimented process for instituting and monitoring implementation of recommendations from these reviews, which included two memoranda from Secretary of Defense Robert Gates assessing and adopting particular recommendations from the West/Clark review. However, DoD – including Secretary Gates’s memoranda – still has not specifically named the threat represented by the Fort Hood attack as what it is: violent Islamist extremism. Instead, DoD’s approach subsumes this threat within workplace violence or undefined “violent extremism” more generally. DoD’s failure to identify the threat of violent Islamist extremism explicitly and directly conflicts with DoD’s history of directly confronting white supremacy and other threatening activity among servicemembers. DoD should revise its policies and training in order to confront the threat of violent Islamist extremism directly.

More specifically, DoD should update its policies on extremism and religious accommodation to ensure that violent Islamist extremism is not tolerated. DoD should also train servicemembers on violent Islamist extremism and how it differs from Islamic religious belief and practices. Without this improved guidance and training, the behavioral tendency among superiors could be to avoid proper application of the current general policies to situations involving violent Islamist extremism.

The 9/11 attacks led the FBI Director, Robert Mueller, to act to transform the FBI’s institutional and operational architecture. He declared that the FBI’s top priority would henceforth be preventing domestic terrorist attacks and that the FBI needed to become an intelligence-centric rather than purely law-enforcement-centric organization. The FBI has made substantial progress in transforming itself in these ways. The FBI is more focused on producing counterterrorism intelligence and more integrated than it had been. Its initiatives are headed in the right direction. To its credit, the FBI moved swiftly after the Fort Hood attack to conduct an internal review, identify gaps, and implement changes in response; the FBI also commissioned an outside review by former FBI Director and Director of Central Intelligence Judge William Webster. Nonetheless, our investigation finds that the Fort Hood attack is an indicator that the current status of the FBI’s transformation to become intelligence-driven is incomplete and that the FBI faces internal challenges – which may include cultural barriers – that can frustrate the on-going institutional reforms. The FBI needs to accelerate its transformation.

- In the Hasan case, two JTTFs (each located in a different field office) disputed the significance of Hasan's communications with the Suspected Terrorist and how vigorously he should be investigated. The JTTF that was less concerned about Hasan controlled the inquiry and ended it prematurely after an insufficient examination. Two key headquarters units – the Counterterrorism Division, the “National JTTF” (which was created specifically to be the hub among JTTFs), and the Directorate of Intelligence – were not made aware of the dispute. This unresolved conflict raises concerns that, despite the more assertive role that FBI headquarters now plays, especially since 9/11 in what historically has been a decentralized organization, field offices still prize and protect their autonomy from headquarters. FBI headquarters also does not have a written plan that articulates the division of labor and hierarchy of command-and-control authorities among its headquarters units, field offices, and the JTTFs. This issue must be addressed to ensure that headquarters establishes more effective strategic control of its field office operations.
- In the Hasan case, the FBI did not effectively utilize intelligence analysts who could have provided a different perspective given the evidence that it had. The FBI's inquiry focused narrowly on whether Hasan was engaged in terrorist activity – as opposed to whether he was radicalizing to violent Islamist extremism and whether this radicalization might pose counterintelligence or other threats (*e.g.*, Hasan might spy for the Taliban if he was deployed to Afghanistan). This critical mistake may have been avoided if intelligence analysts were appropriately engaged in the inquiry. Since 9/11, the FBI has increased its intelligence focus by creating a Directorate of Intelligence and Field Intelligence Groups in the field offices and hiring thousands of new and better qualified analysts. However, the FBI must ensure that these analysts are effectively utilized, including that they achieve significant stature in the FBI. The FBI must also ensure that all of its agents and analysts are trained to understand violent Islamist extremism.
- In the Hasan case, the FBI did not identify the need to update its tradecraft (*i.e.*, the methods and processes for conducting investigative or intelligence activities) regarding the processing and analysis of communications [REDACTED] until after the Fort Hood attack. This delay led to a failure to identify all of Hasan's communications with the Suspected Terrorist and the extent of the threat contained within them. The FBI has had numerous successes against homegrown terrorist cells and individuals since 9/11 that have saved countless American lives. However, the FBI should still ensure that all of its tradecraft is systemically examined so that flaws can be corrected prior to failures. The FBI leadership should continue to oversee this element of its transformation to a first-class, intelligence-driven counterterrorism organization.
- In the Hasan case, the JTTF model did not live up to the FBI's strong vision of JTTFs as an effective interagency information-sharing and operational coordination mechanism. JTTFs have been expanded significantly since 9/11 and are now the principal domestic federal operational arm for counterterrorism investigations and intelligence collection. They perform critically important homeland security functions and have produced numerous successes in disrupting and apprehending potential terrorists. However, the

specific handling of the Hasan case, and systemic disputes between DoD and the FBI concerning JTTFs which remain unresolved, raise concerns that the JTTF model requires additional review and improvement in order for JTTFs to function as effectively as our nation requires.

We ask that DoD and the FBI review and respond to the concerns identified in this report on an urgent basis.

Finally, we request that the National Security Council and Homeland Security Council lead in the development of an integrated approach to law enforcement and intelligence domestically and a comprehensive national approach to countering homegrown radicalization to violent Islamist extremism. The threat of homegrown radicalization goes beyond the capabilities of the law enforcement, intelligence, and homeland security agencies and requires a response from a broad range of our government which will produce plans to translate and implement this comprehensive national approach into specific, coordinated, and measurable actions across the government and in cooperation with the Muslim-American community.