

**THE TERRORIST THREAT IN NORTH AFRICA:
BEFORE AND AFTER BENGHAZI**

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON TERRORISM,
NONPROLIFERATION, AND TRADE

AND THE

SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA

OF THE

**COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES**

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CONTENTS

	Page
WITNESSES	
Mr. Daveed Gartenstein-Ross, director, Center for the Study of Terrorist Radicalization, Foundation for Defense of Democracies	9
Mr. Aaron Zelin, Richard Borow fellow, The Washington Institute for Near East Policy	21
Daniel L. Byman, Ph.D., professor, Security Studies Program, Georgetown University	30
Mr. Mike Lovelady, brother of Algerian gas plant terrorist attack victim, Victor Lovelady	42
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
Mr. Daveed Gartenstein-Ross: Prepared statement	12
Mr. Aaron Zelin: Prepared statement	23
Daniel L. Byman, Ph.D.: Prepared statement	32
Mr. Mike Lovelady: Prepared statement	44
APPENDIX	
Hearing notice	66
Hearing minutes	67
The Honorable Gerald E. Connolly, a Representative in Congress from the Commonwealth of Virginia: Prepared statement	68
Question submitted for the record by the Honorable Scott Perry, a Representative in Congress from the Commonwealth of Pennsylvania, and response from Daniel L. Byman, Ph.D.	70
Question submitted for the record by the Honorable Dana Rohrabacher, a Representative in Congress from the State of California, and responses from:	
Mr. Daveed Gartenstein-Ross	71
Mr. Aaron Zelin	76
Daniel L. Byman, Ph.D.	77

THE TERRORIST THREAT IN NORTH AFRICA: BEFORE AND AFTER BENGHAZI

WEDNESDAY, JULY 10, 2013

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE
AND SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittees met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Ted Poe (chairman of the subcommittee) presiding.

Mr. POE. Subcommittees will come to order. Without objection, all members may have 5 days to submit statements, questions, and extraneous materials for the record subject to the length of the limitation rules of the subcommittee. I will proceed with my opening statement and then we will have the ranking member and the other committee members make comments as well.

There are a lot of things we don't know about the Benghazi attack that killed Americans including our Ambassador Chris Stevens. During her testimony before Congress earlier this year, Secretary Clinton responded to a question over the cause of the attack of Benghazi by saying, "What difference at this point does it make?"

It does make a difference. It makes a difference to the victims' families who want justice, and it also makes a difference to the United States. Understanding why the attack happened does matter. We must respond to any type of violent attack that occurs against Americans no matter where it is when it is a terrorist attack.

The morning after the Benghazi attack, I said it on the House floor that this was a terrorist attack. Everyone including the administration now knows and recognizes that this was a terrorist attack. I do look forward to hearing from the witnesses today about what the security environment in Libya was like, what it was like before the attack, and what terrorist groups in Libya were there at the time. Was there any indication that a terrorist attack was probable against Americans? What was the response of other governments with Embassies in Libya to the threat of the terrorist group? And what is the American response and has it been any different since the days of the attack?

The security environment in Libya after the attack is also important to understand. An FBI team was on the ground in Libya investigating, but supposedly it wasn't even safe for them to spend

much time in Benghazi to determine what happened. I don't know how they plan to capture those responsible if they can't go to the area where the perpetrators acted.

At this late date, with all the intelligence that the United States has at its disposal, do we know the persons that committed these murders? If we do know who they are, why aren't they in custody? I have heard from journalists who have traveled to Benghazi that the identities of at least some of the attackers are known as are their whereabouts. One of them openly drank coffee every morning in the same cafe after the attack, so why has no one been brought to justice not even at this date?

The idea that four Americans can die on sovereign U.S. soil and almost a year later no one has been held accountable is contrary to what we stand for in this nation. The United States is the most powerful nation in the world. Are we afraid to arrest those who commit terrorist acts against the United States? There must be consequences for killing Americans. If there aren't consequences that just encourages terrorists to act even more. Terrorists will grow more daring in their attacks and put more Americans in danger if no consequences from the United States occur. They should know, all terrorists should know that they cannot kill Americans and get away with it. As a former judge, I believe that at the courthouse there should be justice, and justice should continue, and the long arm of American justice should reach to areas where Americans are murdered by terrorists.

We know what happened in Libya did not stay in Libya. In May, this subcommittee held a joint hearing on the growing crisis in the African region. Arms which the administration apparently allowed to be smuggled to extremists' hands during the Libyan revolution found their way into terrorists' hands throughout the region in North Africa. It wasn't long before Mali was overrun with terrorists and the French had to come in and prevent the whole country from collapsing. It soon spread to Algeria, when on January 16, 2013, an al-Qaeda linked Islamic militant group called "Those Who Signed in Blood" took nearly 800 people hostage at the gas plant in Algeria. After a tense, 4-day hostage standoff, Algerian special forces raided the facility in an effort to free the hostages, and more than 80 people including three Americans were killed. These Americans were killed for who they were, because they were Americans.

There are many unanswered questions that remain. Why did the United States not take direct action to protect American interests and American citizens? Three Americans died. I have been told that American forces were within a few miles of the facility ready to assist in the rescue but were told to stand down. Is this true? And if so, why? Why did we allow the safety of our citizens to depend on the acts of another country, and why haven't we responded or held anyone accountable for these murders that took place in January?

Today we have with us the brother of one of those victims. Mike Lovelady is here with his family, including his wife Wanda and Victor's wife Maureen, and their family as well. I want to thank the Lovelady family for being here today, and we are all sorry for the loss of a loved one, and let you know that Victor and the other victims from the Algerian attack will not be forgotten, and it is our

hope that we find out who committed these murders and hold them accountable. But I do want to thank the Lovelady family for coming in from Texas to be here today.

The mastermind behind the deadly attack was allegedly an Algerian militant named Mokhtar Belmokhtar. He claimed the attack was in retaliation for Algeria's support of the French military offensive against Islamist insurgents in neighboring Mali. So from Libya to Mali to Algeria it is obvious that terrorism is running loose in North Africa. We need to learn from our lessons about these terrorist attacks. We should not push these attacks behind closed doors and pretend just to move on down the road. The families of the four American victims in Benghazi have not moved on. The Loveladys have not moved on. The FBI investigation has not moved on at all. And the United States Congress should not move on until we have answers about what happened in Benghazi and what happened in Algeria, not until we have justice.

I will now turn it over to the ranking member Mr. Sherman for his opening statements.

Mr. SHERMAN. Thank you Mr. Chairman. If I can digress one country to the east and talk about Egypt for just a second, If we had a functioning democracy and government here in the United States, the administration would be conferring with Congress as to what would be the best policy and how quickly we could modify our statutes in order to have those statutes call for the best policy, particularly with regard to our aid under these circumstances. Instead we have got White House lawyers trying to figure out how to say what happened in Egypt isn't a coup. And the entire country will accept that because the entire country has reached the conclusion that Congress is so dysfunctional that the idea of conferring with Congress and having Congress change the statute seems silly when a statute can simply be ignored or twisted out of all shape.

As we work for democracy in the Middle East I look forward to focusing on our institutions here. That is why with regard to Libya I was so concerned about the enforcement of the War Powers Act, which, in an effort to bring democracy to Libya was not actually adhered to, which is always a good idea with regard to statutes. Focusing again on the past in Libya, we had a chance then to demand that the rebels purge from their midst the worst elements amongst them. We did not. We were all too anxious to see a collection of the best and worst forces of Libya overthrow Ghadafi, and now those worst forces exercise substantial power particularly in eastern Libya.

It is thought to be a proof of one's dull-headedness if you worry about a few billion dollars here or there when there is the great issues of war and peace whereas you can always get a few more billion dollars from the American taxpayer. But the fact is, we should have insisted that the Libyans pay for the overthrow of Ghadafi, the costs that we incurred. We could have asked for that pledge early. I met with some of the top people during the rebellion, and they said, the message we have is don't worry about reimbursing the U.S. taxpayer, just make sure you give good deals to U.S. oil companies. At the time I thought this gentleman from the Middle East misunderstood my government and its objectives. It appears to me now that he understood my government better than

I do. I look forward to a government that focuses on billions of dollars for American taxpayers.

This also focuses our attention on the cost of aid to the Iraqi Government, a government which is using billions of dollars to pay its debts to Kuwait because Kuwait lent money to Saddam Hussein to wage his war against Iran. So we have to give money to the Iraqis so they can give money to the Kuwaitis, a country that still exists just because we defended them from Saddam Hussein, also at our own cost.

There is substantial argument here in this city about why there would seem to be a misstatement of what motivated those who attacked our Embassy in Benghazi. I want to put to rest, if it can—I don't think it can be put to rest, but at least expose the silliness of the idea that this was some sort of grand political plan. Because if one says that terrorists hit our Embassy in Benghazi, it proves that our foreign policy in the Middle East failed to totally defang the terrorists. That was always known to be true anyway whether organized terrorism was behind Benghazi or not.

And if there was a spontaneous demonstration touched off by a silly YouTube, and offensive YouTube posting, then our public diplomacy in the Middle East has failed to the point where a YouTube posting can lead to the deaths of Americans, even respected Americans. So I would say in either case the Benghazi attack demonstrates that our policies in the Middle East have not been entirely successful, which does not mean that any other policies could have been more successful. It is simply a difficult area, and both our public diplomacy efforts and our efforts to destroy al-Qaeda are still works in process.

I look forward to focusing not only on Libya, but on Mali and the Tuareg independence movement there, as misguided as it is for such a small group, population-wise, to seek independence, and the terrorists' exploitation of that. And as the chairman pointed out, we need to focus on the Algerian attacks. We should look at the security situation in Libya and whether the perpetrators of the Benghazi attack will ever be brought to justice by either the Libyan Government or American drones. And I yield back.

Mr. POE. The Chair will now recognize the chairwoman of the Middle East and North Africa Subcommittee, Ms. Ileana Ros-Lehtinen from Florida, for 5 minutes.

Ms. ROS-LEHTINEN. Thank you so much. Thank you, Judge Poe. I am pleased that both of our subcommittees are convening this important hearing. And I would also like to express my deepest condolences to Michael Lovelady for the loss of his brother Victor Lovelady who was killed during the horrendous attack by al-Qaeda-linked terrorists in Algeria earlier this year. Our thoughts and prayers are with you and with your family, as they are with Victor's wife Maureen and their two children Erin and Grant.

With growing instability in North Africa, it is necessary to examine the security threats posed by rising extremism and deteriorating stability in the Middle East and North Africa region, how we got there and where we are going. Sadly, this threat is not new. For nearly 20 years I have been trying to raise awareness of this very real and growing threat to the United States. In April 1995, I was at the time chairman of the Africa subcommittee, and I con-

vened a hearing entitled, "The Threat of Islamic Extremism in Africa" and stated that Islamic extremism was on the rise and that militant groups posed a growing threat to regional stability, to the fragile democracies in the region, and to U.S. national security interests. April 1995.

Almost two decades later not much has changed. The wave of radical Islam continues to spread, and the threat posed by al-Qaeda in the Islamic Maghreb and other foreign terrorist organizations is due to the establishment of a base of operations in North Africa by taking advantage of the lack of security, political will, and the capability of the governments in the region.

To illustrate the expansion of narcoterrorism activities in the region, this year we learned that the DEA-led investigation leading to the arrest of individuals connected to Guinea-Bissau and the FARC were indicted for narcotrafficking and terrorism offenses. It is alarming that these individuals indicted were charged with conspiring to sell weapons including surface-to-air missiles which could be used against U.S. military personnel in the region. This is why I believe that the DEA should have a larger footprint in North Africa to help dismantle linkages between drug traffickers and terrorist organizations that promote and finance these nefarious activities. However, we cannot concentrate only on the security front. We must also commit resources and attention to help build civil society and strengthen institutions in North Africa.

The Arab Spring began in Tunisia with the self-immolation of a disparaged street vendor and Tunisia was believed to be the most likely to undergo democratic change. Unfortunately, the assassination of one of Tunisia's opposition leader was a detrimental blow to the moderate and secular forces in that country. In Egypt, the Muslim Brotherhood-led government under Morsi failed to demonstrate a commitment to democratic principles and hopes for a truly democratic society that respected human rights remains in jeopardy. In Libya, the Obama administration has yet to hold anyone accountable for the terrorist attacks on September 11th. The individuals at the State Department who were responsible for the security failures in Benghazi continue to operate in different capacities without any real consequences, and the terrorist perpetrators who were behind the Benghazi attack are still at large. What is being done to capture them?

Prior to the September 11, 2012 attacks in Benghazi which left four brave Americans dead, it was already clear that the security situation in Libya had been far from secure. The administration should have been more aware of these threats and taken the proper steps to increase security measures to ensure the safety of our Embassy personnel. They did not. Unfortunately, it is clear that these steps were not taken. We also know that Libya was used as a staging ground for the January 16, 2013 hostage standoff in the gas plant attack in Algeria which resulted in the deaths of more than 80 people.

As Secretary Clinton said when she testified in Congress in January, there is no doubt that the Algerian terrorists had weapons from Libya. There is no doubt that the remnants of AQIM in Mali had weapons from Libya. Yet, we seem to not learn from our mistakes as the administration seeks to inject even more arms into the

region by arming the Syrian rebels. Our strategy in the region needs to be aimed at disrupting extremist networks and denying safe havens to these groups. However, in order to do that we must first get a real understanding of the nature of the problem and increase our attention to these threats because so far we have been woefully lacking in our understanding of these threats, and I think that it is evident in our lack of a coherent foreign policy to these issues.

Thank you very much, Mr. Chairman, for this timely hearing.

Mr. POE. The Chair will now recognize the ranking member of the Middle East and North Africa Subcommittee, Mr. Deutch from Florida, for 5 minutes.

Mr. DEUTCH. Thank you Chairman Poe and Chairman Ros-Lehtinen for holding today's hearing. The purpose of today's hearing is to examine the threats to U.S. interests and security in North Africa from extremist groups because that is how we are going to prevent tragedies like Benghazi from occurring again.

I hope that we will uphold the purpose of this hearing rather than furthering baseless political witch hunts. I hope as well that we can use today as an important opportunity to look at ways to better ensure our security and stability in the region. And I hope that today doesn't devolve into another opportunity to try to score political points by suggesting that there was some kind of massive government cover-up or that the administration chose to ignore threats leading up to Benghazi, when as we now know that is simply untrue.

And it doesn't change the fact that four courageous Americans died in the attack on Benghazi. The attack on Benghazi was a tragedy, a tragedy perpetuated by terrorists that are fundamentally at odds with everything the United States and our allies stand for. So instead of continuing to lay false blame, I am hopeful that today we will be able to use this hearing to ensure that we are doing everything we can to protect our interests from extremist threats.

The spread of extremism in North Africa is of increasing concern as groups like al-Qaeda in the Islamic Maghreb take advantage of political and economic instability and the free flow of weapons and cash. In post-revolutionary Libya, the democratically elected Libyan National Congress remains under constant threat of armed terrorist groups. For the young men in Libya who fought for freedom from Ghadafi's rule, watching a paralyzed government achieve very little really doesn't equate to tangible change in their daily lives. Ghadafi's vast weapons cache is making its way across the region, trickling down to terrorists in Mali and into the hands of extremist fighters in Syria.

I am increasingly concerned that in Egypt's current tenuous political situation, extremists may look for a window of opportunity to broaden support and turn to violence there. AQIM has become quite adept at making a fortune off of kidnappings across North Africa. While AQIM has long been viewed as possessing little threat to the U.S. homeland, it has been emboldened by its increasing numbers and power in the lawless vacuum of post-rebellion states. We have far too many strategic interests in the region as we saw with the brazen attack on U.S. and other workers in an Algerian gas field earlier this year that left 23 dead. And my sincerest con-

dolences to you and your family, Mr. Lovelady, on the loss of your brother. Thank you for being with us today and to share his story and your family's story.

So how do we combat the growing presence of these extremist elements? We have got to continue to strengthen the state institutions of our allies in North Africa. The Libyan and Tunisian Governments are struggling to rebuild. Libya remains without a legitimate and functioning police force to stem the rogue militias operating throughout the country. Libya's oil production is starting to rebound but there is serious concern over the management of this oil revenue. Tunisia, an economy long dependent on tourism, is slowly beginning to attract foreign investment. A strong economy, and increasing education and job opportunities for youth makes the allure of fighting for AQIM less desirable.

But the French intervention in Mali has sparked increasing violence toward Western targets. An al-Qaeda-affiliated group launched a suicide attack on a French uranium mine in Niger in May. And we have got to refocus efforts on border control. Libya's poorly patrolled southern border is a gateway for Islamic extremists into Mali and Niger and Chad. And without a strong national army or a security force, Libya is relying on various militias to patrol the border. Weapons flow freely from Sudan into Egypt and into the hands of Hamas and al-Qaeda affiliates in the Arabian Peninsula.

I am heartened by the announcement in May that Libya, Sudan and Egypt agreed to work together to develop the border triangle and to establish free trade zones that would help improve the economic lives of those living in that area. A lack of basic infrastructure has stunted economic development in many areas of the Sahara. U.S. investment in roads and electrical grids will help shore up these underdeveloped areas.

And with much of our attention focused on Syria, Egypt, and the threat of Hezbollah and Iran, we cannot allow North Africa to become a terrorist Wild West. Strong support from the U.S. and our allies for counterterrorism cooperation through programs like the Trans-Saharan Counterterrorism Partnership, is an interagency partnership that focuses on improving individual country and regional capabilities in the Sahel and Maghreb to defeat terrorist organizations. Focusing on that is a must. Active cooperation on border control and intelligence sharing can restrict the movement and diminish the presence of these terrorist groups.

I appreciate the witnesses being here today and I look forward to continuing this discussion with all of you. Thank you Mr. Chairman. I yield back.

Mr. POE. Thank the gentleman from Florida. We will now recognize other members for 1 minute, who have an opening statement. Mr. Chabot from Ohio, you are recognized for 1 minute.

Mr. CHABOT. Thank you Mr. Chairman. I think Libya is an example of what you get when the United States leads from behind. And there is a saying that "nature abhors a vacuum," and that is what we had in Libya after this conflict took place and the United States was leading from behind in the conflict itself, but then especially after the war was over we now see jihadists exercising considerable power there. We have seen four brave Americans killed,

and it is just a tragedy and we all express our sympathy to the Lovelady family. It is a horrible thing.

Unfortunately, I think we saw the same thing in Iraq where we saw—you talk about seizing defeat from the jaws of victory, we basically had the country stabilized, a potential ally. There was always a plan to leave troops there. We have pulled troops out. The country is now coming apart at the seams and we are going to see that repeated in Afghanistan, I am afraid. I yield back.

Mr. POE. Thank the gentleman. The Chair will now recognize Mr. Schneider from Illinois for 1 minute.

Mr. SCHNEIDER. Thank you Mr. Chair, and I want to thank the witnesses for joining us today, and to the Lovelady family, please accept my sincerest condolences as well.

Following the end of the Ghadafi regime in Libya we have observed a weak central government which has been relatively unable to police vast swaths of territory within the country. This has resulted in a proliferation of militant groups carving out areas of influence and protection, a situation which does not generally contribute positively to the goals of the central government. Personally, I am extremely concerned with the rise of groups such as Ansar al-Sharia and their growing influence across the Islamic Maghreb. I am also concerned that portions of Libya may be used as training grounds for foreign fighters and a conduit for transporting weapons and equipment for terrorist organizations not only in North Africa but also throughout the Middle East.

Mr. Zelin, you mentioned in your prepared remarks that one of the worst kept secrets locally, but only reported on within the past month, is the large amount of weapons that Libyans have sent to Syria via Benghazi and Misrata through Lebanon and Turkey. I look forward to hearing your thoughts and the thoughts of the panel on how we can address these potential regional destabilizing efforts by groups affiliated with al-Qaeda. Thank you, and I yield back my time.

Mr. POE. Thank the gentleman. The Chair will now recognize Mr. Yoho from Florida for 1 minute.

Mr. YOHO. I thank the chairs and ranking members for holding this hearing today. The fact that we still have not brought to justice those who attacked us is a travesty. Terrorists have spilled American blood and we must do everything we can to bring the perpetrators to justice. As famously said, "Justice delayed is justice denied." And I give my regards to Mr. Lovelady and your family on the loss of your brother and son, and all others who have lost loved ones in a cowardly attack against the United States and its citizens. And I look forward to the testimony of our witnesses today, and I thank you for being here. I yield back.

Mr. POE. Does any other member wish to make an opening statement? I will now proceed with the introduction of our four witnesses and then they will testify. A brief introduction of each.

Mr. Gartenstein-Ross is a senior fellow at the Foundation for Defense of Democracies. He studies challenges posed by violent, non-state actors. He is the author or volume editor of 12 books including "Bin Laden's Legacy" and is published widely in the popular and academic press.

Mr. Aaron Zelin is the Richard Borow fellow at the Washington Institute for Near East Policy. His research focuses on how jihadist groups are adjusting to the new political environment of the Arab uprisings and politics in countries transitioning into democracy. Mr. Zelin also maintains a Web site, jihadology.net, which is an archive for jihadi primary source materials.

Dr. Daniel Byman is a professor in the Security Studies Program at Georgetown University's School of Foreign Service and a research director at the Saban Center for Middle East Policy at the Brookings Institution. Dr. Byman has served as a professional staff member with both the 9/11 Commission and the joint 9/11 inquiry staff of the House and Senate Intelligence Committees. He has worked as a research director of the Center for Middle East Public Policy in the RAND Corporation as an analyst of the Middle East for the United States intelligence community.

Mike Lovelady, born in Port Arthur, Texas, that is southeast Texas, was a firefighter for the City of Nederland for over 30 years. He has been married for 35 years to his wife Wanda and has three children, Kevin, Jason and Ashley. His brother Victor Lovelady—and Victor's widow and wife, Maureen, is here today—Victor Lovelady was killed by terrorists who attacked the gas plant where he was working in Algeria in January of this year.

I want to thank all four of the witnesses for being here. The Chair would recognize each of you for 5 minutes. Keep your testimony to 5 minutes or you may get gaveled. And you will find out what that means if you don't figure it out. So after each witness testifies then the people on both subcommittees will ask questions. First, we will hear from Mr. Gartenstein-Ross for 5 minutes.

**STATEMENT OF MR. DAVEED GARTENSTEIN-ROSS, DIRECTOR,
CENTER FOR THE STUDY OF TERRORIST RADICALIZATION,
FOUNDATION FOR DEFENSE OF DEMOCRACIES**

Mr. GARTENSTEIN-ROSS. Chairman Poe and Ros-Lehtinen, Ranking Members Sherman and Deutch, distinguished members of the subcommittees, it is an honor to appear before you today to discuss the threat of jihadist terrorism in North Africa.

In my view, the most important facet of understanding the regional threat is how the Arab uprisings have fundamentally changed the shape of jihadism. Al-Qaeda and other like-minded militants possess a defined regional strategy that began to take shape even as Hosni Mubarak's regime was drawing its very last breaths. The rough consensus that jihadist strategists reached about developments produced some simple principles for action on their part.

These strategists agreed that the political upheaval helped their movement in several ways. One of the most significant was that they foresaw unprecedented opportunities to undertake dawa, or missionary work, to propagate their particularized version of the Islamic faith. The new and democratically elected regimes would be less likely to suppress jihadist groups' dawa efforts so long as they didn't explicitly engage in violence against the state. And indeed, in this new environment groups like Ansar al Sharia Tunisia have been quite effective at expanding both their numbers and influence.

That being said, the jihadist movement, as we all know, has never been satisfied with constraining itself to nonviolent advocacy. Some of their post-uprisings' militant activity in countries like Tunisia and Egypt has taken the form of vigilante violence aimed at such perceived foes of the movement as artists, civil society activists, educators, and also religious minorities. But another aspect of their work has involved jihad, which these groups understand as warfare against other competitors for power.

There is currently a mutually reinforcing interaction between countries in the region in which jihadists are primarily engaged in dawa, countries like Tunisia and Egypt, and those where a weak or disintegrating state makes violence more feasible, in places like Libya or Mali. The fact that jihadist groups currently engaged in dawa efforts have not given up on using violence to eventually seize power, makes a regional approach important to them. Having steep variations in how these groups relate to violence allows groups like Ansar al-Sharia Tunisia or Egypt's Salafi jihadist groups to propagate their ideology, but at the same time to refrain from the kind of large scale involvement in either violence or preparations for violence that could trigger a state crackdown. At the same time, these groups can also take advantage of regional developments to quietly arm themselves and also undertake militant training.

So I would like to note how Libya in particular fits into the broader regional picture, and the fact that Libya's central government is incredibly weak and the country increasingly chaotic at this point cannot be denied by any reasonable observer. Militant groups have taken advantage of this environment. One way is training, with camps operating in southern Libya. The impact of these camps can be seen, for example, in the tragic January attack at the In Amenas gas complex in Algeria. Some of the attackers reportedly trained in Libya before undertaking that attack. In addition, they also used Libyan soil as a staging ground before undertaking that attack. Al-Qaeda and Emir Ayman Al-Zawahiri has also established connections to militant camps in Libya, which, for example, include training for suicide missions.

A second issue is the flow of arms to neighboring countries, as Chairman Ros-Lehtinen pointed to. Libyan arms have played a role in the Malian conflict, they played a role in the In Amenas attack in Algeria, and they have also been moved across Algeria into Tunisia where they have helped strengthen Ansar al-Sharia Tunisia. Right now we are also focused on Egypt, and Libyan arms have poured into Egypt's North Sinai which has seen over the past few days an escalation in attacks on security forces following the ouster of Mohamed Morsi.

A third issue is how Libya can serve as a safe haven. Following the French intervention in Mali, fighters from Ansar al-Din and al-Qaeda in the Islamic Maghreb made their way into southwest Libya where they blended with local militant groups. This is also an important part of the jihadist regional strategy. Rather than standing and fighting, the militants who are occupying North Mali melted away. Such a tactic helps to keep the movement's capabilities alive and prevent significant attrition.

Overall, the relationship between countries where dawa is the predominant strategy and countries where violence is dominant is vital to understanding the threat on a regional scale. The region should be understood as a whole, and countries where violence is more feasible can also make violence more likely in places where dawa is predominant. A very dangerous game is currently being played in Egypt, and if that situation escalates look for Libya to be an increasingly important part of that dynamic.

The jihadist regional strategy overall is coherent. The U.S. doesn't have to be at the forefront of a response. Over the past few years we have seen partner nations take the lead against militant groups and it is sensible for the U.S. to minimize its expenditure when feasible and wise. But we should understand that jihadist strategy is designed for the long term, rather than tricking ourselves into thinking that these groups will inevitably moderate. Thank you.

[The prepared statement of Mr. Gartenstein-Ross follows:]

Congressional Testimony

**Salafi Jihadism in the North African
Regional Context**

Daveed Gartenstein-Ross
Senior Fellow, Foundation for Defense of Democracies
Director, Center for the Study of Terrorist Radicalization

**Hearing before the
House Committee on Foreign Affairs**
Subcommittee on Terrorism, Nonproliferation, and Trade
Subcommittee on the Middle East and North Africa

Washington, DC
July 10, 2013



1726 M Street NW • Suite 700 • Washington, DC 20036

Chairmen Poe and Ros-Lehtinen, Ranking Members Sherman and Deutch, distinguished members of the subcommittees, it is an honor to appear before you today to discuss the threat of jihadist terrorism in North Africa.¹ The Arab Uprisings have significantly altered the shape of jihadism in the region. This is not just a country-to-country phenomenon: rather, al-Qaeda and other salafi jihadist groups possess a defined regional strategy. Indeed, leading salafi jihadist strategists have been intensely debating the implications of the changes gripping the region, and how the movement should respond, essentially from the very outset.

The U.S. has been at a disadvantage when it has failed to understand the enemy's perceptions of the world and the strategies that arise from them. This was true in our general inability to understand the economic dimensions of al-Qaeda's strategy for fighting the United States.² It was also true for the Arab Uprisings specifically, when many analysts let their optimism drive their analysis, and concluded that the Uprisings were the death knell for salafi jihadism.³ Though the argument that al-Qaeda and aligned groups have been rendered largely impotent has not completely faded from the scene, the position is increasingly untenable—and it seems we have made some strategic errors in the interim due to overreliance on that analytic line.

I will begin this testimony by examining salafi jihadist perspectives of what the Arab Uprisings mean for the region and will then turn to how Libya fits into that picture specifically. I will conclude with some thoughts on the region beyond Libya and how the U.S. can best shape its policies to address this changed environment.

The Arab Uprisings and Salafi Jihadist Strategy

As the Arab Uprisings intensified, major salafi jihadist strategists quickly reached a rough consensus about what the developments meant. They agreed that the political upheavals gripping the region were good for the movement for a variety of reasons. With respect to the impact on the movement, these strategists thought they would enjoy three primary advantages in the post-Uprisings world, two of which are operational and one of which will help them to propagate their understanding of Islam.

The two major operational advantages are the amount of jihadists who have escaped or been released from prison and the ability of jihadist groups to control territory. As to the former,

¹ This testimony employs the terms *jihadism* and *jihadist* to describe the militant movement with global ambitions that claims its inspiration from salafi Islam. This terminology is controversial amongst terrorism researchers, and also within government, in large part because it is derived from the religious term *jihad*. I choose to employ this language in large part because it has the benefit of being organic, the way that those within the movement refer to themselves. That makes it superior to alternatives that also have their own limitations. Moreover, as Jarret Brachman notes, the labels *jihadism* and *jihadist* have "been validated as the least worst option across the Arabic-speaking world," including being employed in Arabic-language print and broadcast media. Jarret M. Brachman, *Global Jihadism: Theory and Practice* (London: Routledge, 2009), p. 5.

² This point is discussed at length in my most recent mass-market book, Daveed Gartenstein-Ross, *Bin Laden's Legacy: Why We're Still Losing the War on Terror* (New York: Wiley, 2011).

³ For such conclusions, see Fawaz Gerges, "The Rise and Fall of al Qaeda: Debunking the Terrorism Narrative," *Huffington Post*, Jan. 3 2012; Neal Conan, "Bergen Correctly Predicted bin Laden's Location," interview with Peter Bergen, *National Public Radio*, May 3, 2011; Dan Murphy, "Bin Laden's Death Puts Exclamation Mark on al-Qaeda's Demise," *Christian Science Monitor*, May 3, 2011.

the jihadist thinker Hani al-Siba'i has released multiple lists of violent Islamists who have been released from Egyptian prisons.⁴ The same phenomenon also occurred in Libya, where Muammar Qaddafi's government actually used prisoner releases as an offensive tactic against the rebellion it faced, believing that freeing prisoners would create strife in rebellious areas. But as the anti-regime uprising escalated, Qaddafi was no longer able to control these prisoner releases. Some prison governors decided for their own reasons (perhaps as a way of defecting) to empty prisons they were charged with guarding. Chaos allowed some escapes, as guards afraid of reprisals fled their posts; and in other cases gunmen attacked prisons in order to release the inmates. While those released ranged from political prisoners to violent criminals and were not exclusively jihadists, the resulting increase in liberated jihadist manpower has profoundly altered the dynamics of the movement in the region.

The second operational advantage, control of territories, was attainable before the Uprisings, but the rebellions presented the movement with some new opportunities that did not previously exist. Instability gripped Libya, a country whose harsh crackdowns had previously made it nearly impervious to a jihadist foothold. Jihadist groups also made significant gains in Mali (recently reversed by the French intervention) and also in Yemen (where Al-Qaeda in the Arabian Peninsula (AQAP) has also seen its advances reversed). In an interview with the London-based *Al-Quds Al-Arabi*, AQAP's Fahd al-Qasa portrayed these gains as naturally stemming from the Arab Uprisings. "We are an integral part of the people's project toward dignity and freedom under the banner of Islam," he said.⁵ There are a few important points to draw from this perception. Salafi jihadists view territory where they can train and plan operations as an important part of their regional strategy. Mali served that role until the French intervention changed dynamics on the ground; and today Libya is at the forefront in serving these needs of the movement. But conversely, al-Qaeda and aligned groups have had great difficulty in maintaining control over the territory they capture. This inability to maintain control is a structural problem with the movement that should factor into the U.S.'s strategy.

A third advantage jihadists have identified is that the fall of established regimes would lead to an era of greater openness that would create unprecedented opportunities to undertake *dawa* (missionary work).⁶ In addition to this freedom, jihadist strategists thought the movement would be well positioned to gain new adherents after the regimes' falls. For one thing, they

⁴ See the following Open Source Center translations: Hani al-Siba'i, "The Release of Prisoners After Nearly Twenty Years of Injustice," *Ansar Dawlat al-Iraq al-Islamiyah*, Feb. 23, 2011; Hani al-Siba'i, "The Release of a New Batch after Long Years Behind Bars," *Al-Jahafal*, Feb. 27, 2011; Hani al-Siba'i, "Urgent: The Release of a New Batch of Those Charged with Military Verdicts," *Ansar Dawlat al-Iraq al-Islamiyah*, Mar. 4, 2011; Al Maqri Center for Historical Studies, "Names of the Released Detainees from the al Agrab, al Istiqbal, al Wadi, and Burj al Arab Prisons," *Shumukh al Islam Network*, Mar. 18, 2011. For an in-depth discussion of early salafi jihadist perceptions of the Arab Uprisings, see Daveed Gartenstein-Ross & Tara Vassefi, "Perceptions of the 'Arab Spring' Within the Salafi-Jihadi Movement," *Studies in Conflict & Terrorism* 35 (2012), pp. 831-48.

⁵ "Third on U.S. Wanted List Interviewed on al-Qaeda Operations in Yemen, U.S. Stand," *Al Quds Al Arabi* (London), Sept. 20, 2011, trans. Open Source Center.

⁶ See Ayman al-Zawahiri, "And be Neither Weakened nor Saddened," *Al-Sahab Media*, Aug. 15, 2011, trans. Open Source Center; Hamzah bin Muhammad al-Bassam, "Heeding the Advantages and Lessons of the Two Uprisings in Egypt and Tunisia," *Ansar Dawlat al-Iraq al-Islamiyah*, Feb. 25, 2011, trans. Open Source Center; Hamid bin Abdallah al-Ali, "The Joy Lies in the Harvest of the Two Revolutions," posted on al Ali's official website, Feb. 15, 2011, trans. Open Source Center; Atiyatallah Abd al-Rahman, "The People's Revolt... The Fall of Corrupt Arab Regimes... The Demolition of the Idol of Stability... and the New Beginning," distributed by the Global Islamic Media Front, Feb. 16, 2011.

thought they would gain from the revolutions because they were a part of the revolutions. Looking at the situation in Libya, for example, Abu Sa'ad al-Amili opined that Al-Qaeda in the Islamic Maghreb (AQIM) was well positioned to gain after Qaddafi's fall because the "mujahedin" included Libyans, and they fought beside other rebels.⁷

Of course, the salafi jihadist movement has never been satisfied in constraining itself to nonviolent *dawa*. It thus has a staged plan which one can discern from the early theoretical work. Even while undertaking *dawa* peacefully, in ways it could not under the old regimes, the movement has been preparing to later engage in large-scale violence.⁸ There is also a median step, which can be seen clearly in Tunisia, of *hisba* violence—a concept denoting "forbidding wrong," which is not warfare directed at enemies of the faith, but rather is designed to internally cleanse the Muslim community.⁹ In Tunisia, this *hisba* violence carried out by hardline salafists has been aimed at such adversaries of the movement as artists, civil society activists, and educators.¹⁰

Countries like Tunisia and Egypt saw relatively smooth successions because their dictators either fled (Ben Ali) or were forced from power (Mubarak) early in the process rather than following a protracted military confrontation, as in Libya or Syria. These countries can be largely characterized by continuity in terms of the institutions of the old regimes: since the state was not destroyed in the process of regime change, neither Tunisia nor Egypt had to re-establish a central government or, for the most part, rebuild their security services. Thus, these relatively stable countries have been lands of *dawa* for salafi jihadist groups. On the other hand, unstable countries like Libya or Syria have been lands of jihad—but it is important to note the synthesis between these lands of *dawa* and lands of jihad. The lands of jihad have been used to train and arm jihadists living in the lands of *dawa*, and thus to prepare them for what the movement sees as an impending military confrontation. They have also been used as a launching pad for attacks—something that can be seen in how Libya was a staging ground for the In Amenas attack in Algeria that occurred in January 2013.

Libya: A Land of Jihad

For these movements, Libya is clearly a land of jihad. The revolution has left Libya's central government weak and unable to extend its writ throughout the country. Armed militias have been able to fill this power vacuum. In some cases, these militias have been able to keep the areas under their control stable, but they have also left a situation where the Libyan government has been unable to effectively address threats to its own stability, threats to its neighbors, or threats to such allies as the United States.

⁷ Abu Sa'ad al-Amili, "Sharia Clarifications and Highlights on the Two Revolutions in Libya and Syria: Episode One (the Libyan Revolution)," posted on *Ansar al Mujahedin Network*, Aug. 26, 2011, trans. Open Source Center.

⁸ Al-Bassam, "Heeding the Advantages and Lessons of the Two Uprisings."

⁹ For a good discussion of *hisba*, see Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge University Press, 2010).

¹⁰ See "Tunisie: Lycée de Menzel Bouzelfa—Un directeur agressé par des salafistes," *All Africa*, Apr. 11, 2013; Alexander Smolczyk, "Islamist Intimidation: The Battle for the Future of Tunisia," *Der Spiegel*, Dec. 5, 2012; Sarah Leah Whitson, Human Rights Watch, "Letter to Tunisian Minister of Interior and Minister of Justice," posted online Oct. 14, 2012.

The weakness of Libya's central government. There are numerous glaring examples of the general weakness of Libya's government. A preeminent recent example occurred in April to May of this year, when armed militias undertook a two-week siege of the foreign and justice ministries in Tripoli as a means of pressuring the parliament to pass a "political isolation" law that would place restrictions on what positions within government Qaddafi-era officials could hold.¹¹ Regardless of the merits of this law, the fact that a siege could occur for such an extended period within the country's capital is powerful evidence of a struggling central government.

Several recent terrorist attacks have further illustrated this point. The most recent of these incidents was a car bomb attack intended for two Italian diplomats that fortunately claimed no lives.¹² Even though the bomb attempt failed, it illustrated the limitations of the Libyan security services: they could claim no credit in foiling the attack, as the diplomats were warned by alert citizens. Before that, the French embassy was struck by a car bomb at the end of April, in "the most significant attack against a Western interest in the country" since U.S. ambassador J. Christopher Stevens and two other Americans were killed on September 11, 2012.¹³ Though that attack occurred before most embassy employees had arrived that morning, it injured two guards, one of them critically. In March, five British humanitarian activists were kidnapped in eastern Libya, at least two of whom were "women who had been sexually assaulted."¹⁴

These are just a few indications of the weakness of Libya's central government. The weakness is systemic in nature. Unlike Tunisia and Egypt, the prolonged civil war in Libya destroyed the old structures of Qaddafi's centralized government and made an orderly transition impossible. The central government is limited to Tripoli while the country's means of oil production are in the east. This means that Tripoli does not profit from all of the oil revenues that could otherwise be used to grow the central government and gradually stabilize the country. Further, Libya's borders are porous and difficult to secure, which allows foreign nationals to enter and leave basically at will.

The porousness of Libya's borders has helped the salafi jihadist movement take full advantage of the chaos in Libya, but the problems related to this are far broader than that singular problem. Libya's porous borders have also been used for arms smuggling, human trafficking, and the movement of illegal goods throughout the region. This has contributed to instability in the region of Africa known as the Sahel,¹⁵ including Mali. I will speak further about the flow of arms to jihadist factions shortly.

Al-Qaeda's presence in Libya. Before examining how al-Qaeda and salafi jihadists may take advantage of the chaotic situation in Libya, it is worth examining the extent of al-Qaeda's presence within the country. The most comprehensive report in this regard, entitled *Al-Qaeda in*

¹¹ "Deal with Former Rebels Ends Libya Siege," *Al Jazeera*, May 12, 2013.

¹² Essam Mohammad, "Libya: Tripoli Car Bomb Targets Italian Diplomats," *All Africa*, June 12, 2013.

¹³ David D. Kirkpatrick, "Car Explodes Outside French Embassy in Libya," *New York Times*, Apr. 23, 2013.

¹⁴ Kareem Fahim, "Libya arrests Two Men in Attack on Five British Aid Activists," *New York Times*, Mar. 29, 2013.

¹⁵ The Sahel is the geographic region bordered by the Sahara desert in the north, the Sudanian Savannas in the south, the Atlantic Ocean in the west, and the Red Sea in the east.

Libya: A Profile, was published in August 2012 by the Library of Congress's Federal Research division.¹⁶

The report notes that in Libya, al-Qaeda's senior leadership is attempting to create a clandestine network. The clandestine nature of its efforts in Libya is consistent with the salafi jihadist regional strategy: there is complementarity between *dawa* and jihad, but too overt an al-Qaeda presence could prompt foreign intervention, and thus erase whatever advantages the network was enjoying. This fear is illustrated by the French-led intervention in Mali to clear out a jihadist stronghold in the north, as well as the intervention in Somalia that was undertaken by several countries (including Ethiopia, Kenya, Uganda, and Burundi, with the U.S. playing more of a supporting role).

There are several organizations within Libya through which al-Qaeda may enjoy influence, or which could perhaps even be regarded as new faces of al-Qaeda. One of these is the Ansar al-Sharia group in Libya. Like Ansar al-Sharia Tunisia (AST), the Libyan Ansar al-Sharia has a prominent social media presence that highlights its "goodwill and civic activities" to further its *dawa* efforts.¹⁷ A second possibility is some remnants of the Libyan Islamic Fighting Group (LIFG). Though some former LIFG members now align themselves with the government, the report notes that "some former members of LIFG may be among those helping to create the al-Qaeda network."¹⁸ There are further *katibas* (battalions or militia groups) that are aligned with Ansar al-Sharia and may assist in strengthening a network for al-Qaeda.

Other emissaries have been dispatched directly by al-Qaeda's senior leadership. The report mentions an operative known as "AA," whom Ayman al-Zawahiri sent to Libya in the middle of 2011. This is almost certainly a reference to Abdul Baset Azzouz, who had managed to mobilize more than 200 fighters by the end of 2012.

Overall, while it is not clear how many al-Qaeda aligned groups and individuals are present in Libya, the Library of Congress report concludes that "a few hundred al-Qaeda members" are operating there and that salafi jihadists aligned with al-Qaeda ideologically have also come to control "dozens of mosques and prayer halls in the country."¹⁹ This core presence is in addition to militias who are aligned with al-Qaeda but apparently not part of its command structure. That provides enough presence to attempt to capitalize on Libya's chaos.

Even as of August 2012, the Library of Congress report concluded that "al-Qaeda appears to constitute a significant threat to the state-building process in Libya."²⁰ This is one reason that I don't think the terrorist threat has changed significantly since the Benghazi attack: rather, a pre-existing trajectory continued. Salafi jihadism was a problem in Libya prior to September 11, 2012. Unlike Tunisia, where the September 14, 2012 attack on the U.S. embassy in Tunis was followed by the state's crackdown on the country's largest jihadist group, no such reprisals occurred after the Benghazi attack. Thus, the Libyan state missed an opportunity to counter this

¹⁶ Federal Research Division, Library of Congress, *Al-Qaeda in Libya: a Profile*, (Aug. 2012).

¹⁷ *Ibid.*, p. 3.

¹⁸ *Ibid.*

¹⁹ *Ibid.*, pp. 18, 25.

²⁰ *Ibid.*, p. 40.

violent presence that could impede Libya's rebuilding efforts (although whether it had the capacity to counter the salafi jihadist threat at the time can certainly be debated).

Jihadist efforts. Salafi jihadist groups have taken advantage of the new Libya in several ways. One is training for militant activities. The Library of Congress report notes that al-Qaeda has operated training camps in Libya,²¹ which exist in large part because the central government has been unable to control southern Libya. In fact, some of the impact of the southern Libya camps may be seen in the January attack on the In Amenas gas complex attack in Algeria, for which some of the attackers reportedly trained in camps in southern Libya.²² More than 800 people were taken hostage in that attack, in which at least thirty-nine foreign hostages were killed.

Muhammad al-Zawahiri has connected his brother, al-Qaeda emir Ayman al-Zawahiri, with Egyptian militant Muhammad Jamal Abu Ahmad, who has used this safe haven in Libya to establish his own enclave there. As the *Wall Street Journal* has reported, the Jamal network operates camps in Libya that include training for suicide missions, has demonstrated proficiency in smuggling fighters, and also has connections to European jihadists.²³ In addition to Muhammad al-Zawahiri, another connection the Jamal network has to militancy in Egypt is Marjan Salim, a militant who was released from prison following Mubarak's fall, and who served as the head of Egyptian Islamic Jihad's *sharia* committee when Ayman al-Zawahiri led the group in the late 1990s.²⁴ This network demonstrates the manner in which a country in which jihad is the predominant mode for militant groups can strengthen networks where *dawa* is predominant: unsurprisingly, given Jamal's connections to Egypt, Egyptian recruits have been training there. This arrangement thus helps to bolster the military capabilities of the Egyptian networks even at a time that they are not engaged in combat against the state.

A second distinct issue is the flow of arms from Libya into neighboring countries. As previously mentioned, the flow of Libyan arms had a role in the Malian conflict, although the extent of their role is a matter of debate amongst regional scholars. In addition to making use of training camps in Libya, the In Amenas attackers also made use of Libyan arms when attacking that facility.²⁵ There has also been a flow of arms from Libya across Algeria and into Tunisia.²⁶ There, these weapons have helped to strengthen AST's military capabilities. The weapons smuggling into Tunisia was also at the center of recent clashes (beginning in late April) between Tunisian security forces and an AQIM-linked group called Katibat Uqbah Ibn Nafi on the Tunisia-Algeria border. In these incidents, two Tunisian soldiers were killed and at least twenty wounded by improvised explosive devices. Libyan arms have also poured into Egypt's northern Sinai.²⁷ Thus, the flow of arms out of Libya also has been strengthening jihadist movements' long-term military capabilities in countries where the movement is currently focused on *dawa*.

²¹ *Ibid.*, p. 23.

²² Paul Cruickshank & Tim Lister, "Algeria Attack May Have Link to Libya Camps," *CNN*, Jan. 23, 2013.

²³ Siobhan Gorman & Matt Bradley, "Militant Link to Libya Attack," *Wall Street Journal*, Oct. 1, 2012.

²⁴ Muhammad Salah, "Jihad's Organizational Structure," *Al-Hayah*, Feb. 12, 1999, p. 6, Open Source Center trans.

²⁵ Richard Spencer, "Libyan Arms That Went Missing Under Aaddafi 'Fueling Multiple Conflicts,'" *Telegraph* (London), Apr. 10, 2013.

²⁶ Andrew Lebovich, "Confronting Tunisia's Jihadists," *Foreign Policy*, May 16, 2013.

²⁷ Soraya Sarhaddi Nelson, "Libyan Arms Flow into Egypt Across Northern Sinai," *NPR*, Oct. 13, 2011.

A third distinct issue is how Libya can serve as a safe haven for jihadists. I have mentioned the French intervention into Mali: following that military operation, Islamic fighters from both Ansar al Dine and AQIM made their way into southwest Libya, where they “are blending with local militant groups.”²⁸ This is also an important part of the salafi jihadist regional strategy: rather than standing and fighting in Mali (where they would lose badly in a conventional fight), jihadists who were occupying the north melted away. Being able to move to across porous borders and into areas where they can find safe haven is an important part of keeping the movement’s militant capabilities alive and preventing significant attrition within the ranks.

A fourth and final issue is that the safe haven within Libya, coupled with the country’s porous borders, means that it can be used as a staging ground for future attacks. This was certainly the case for the In Amenas attack in Algeria. Other neighboring countries will continue to be concerned about Libyan soil being used as a staging ground for attacks in their borders, and Europe will similarly have concerns in this regard, especially given the links between Libyan militant groups and those in Europe.

Lack of state reprisals. The advantages that jihadist groups currently enjoy from the situation in Libya should be understood in the context of a government that is either unable or unwilling to respond to provocations from jihadist groups within its soil. The September 11 attack in Benghazi that killed Ambassador Stevens was an enormous embarrassment for Libya, yet it did not mount a crackdown against militant groups. Salafi attacks have targeted Sufis, a sect particularly disfavored by hardline salafists, with dozens of attacks on sufi shrines. For example, in March a bomb blew up the Sidi Al-Andalusi mausoleum in Tripoli, which is a shrine to a fifteenth century theologian and is regarded as a national monument.²⁹

Christians have also been targeted by salafists. In March, the Coptic church in Benghazi was ransacked and set on fire. Christian graves have also been attacked and defaced.³⁰ These attacks on minority groups—whether minority Islamic sects or Christians—are not representative of Libyan society as a whole, but rather are the work of a distinct group of hardline salafists. And yet after all of these incidents we have not seen a vigorous state response. The net result is the perception that salafi militants have free reign within Libya.

Conclusion

This testimony has outlined salafi jihadist regional strategy in North Africa, and has shown the relationship between countries where *dawa* is the dominant jihadist strategy and countries where jihad is the dominant strategy. The latter countries can thus make the former more dangerous, and help to usher jihadist groups located there from the stage of *dawa* to the stage of jihad. Libya provides several examples of this symbiotic relationship. This relationship between lands of *dawa* and jihad is further illustrated by the symbiotic relationship between

²⁸ Adam Entous, Drew Iinshaw, & David Gauthier-Villars, “Militants, Chased From Mali, Pose New Threats,” *Wall Street Journal*, May 24, 2013.

²⁹ “Sufi Shrine Blown Up in Latest Religious Attack in Libya,” *Reuters*, Mar. 29, 2013.

³⁰ Mohamed Eljarh, “Libya’s Copts Under Attack?,” *Foreign Policy*, Mar. 19, 2013.

Daveed Gartenstein-Ross

July 10, 2013

AQIM (which benefits from its presence in Libya and from Libyan arms) and AST. AQIM has publicly urged AST to de-escalate its confrontations with the Tunisian state, so as to preserve the ability to undertake *dawa* in Tunisia. But at the same time AQIM has been bolstering AST militarily and also threatening the Tunisian state—maintaining the threat of violence so that AST has less of a need to do so.

The salafi jihadist regional strategy is coherent, and working well. The U.S. does not have to be at the forefront of a response—indeed, one of the trends of the past few years has been local actors or partner nations taking the lead against jihadist groups where possible, and it is sensible for the U.S. to minimize its expenditure of resources when feasible and wise. However, the U.S. should understand that the jihadist strategy is designed for the longer term. Rather than tricking ourselves into thinking that groups like AST will naturally become part of the political system and moderate, we should listen to what these groups are saying, and understand what their plan is.

Mr. POE. Thank the gentleman.
Five minutes from Mr. Zelin. Thank you, sir.

**STATEMENT OF MR. AARON ZELIN, RICHARD BOROW FELLOW,
THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY**

Mr. ZELIN. Thank you, Mr. Chairman, and Mrs. Chairman, and members of the two subcommittees for giving me the opportunity to testify today on the threat emanating from Libya. I will be summarizing my written testimony.

Currently one can identify three interrelated but unique threats within Libya. One that is local with Ansar al-Sharia in Libya, one that is regional with Libyans going to fight in Syria, and the third is transnational related to al-Qaeda in the Islamic Maghreb. I will be focusing on the first two since my colleague Daveed just spoke about AQIM. Before discussing this it is important to note that Libya has all types of violence and most is actually not related to jihadi organizations or those sympathetic to them. A large portion of it is militia based, a legacy of the revolution against the Ghadafi regime and related to local economic or political grievances. This should be kept in mind when contextualizing jihadi violence within the broader picture of Libya.

Ansar al-Sharia in Libya is an organization that was established in February 2012, and has steadily grown over time over the last 1½ years. We have been able to see this based off of the two annual conferences they held. At the first one in June 2012, there were less than 1,000 individuals that were present, but at the one that occurred 2 weeks ago there were more than 2,000 individuals.

So what explains this? Dawa, as Daveed mentioned, missionary work, has been at the forefront of their activities within Benghazi—cleaning streets, holding lectures, opening up medical clinics. But their most successful actions have been their anti-drug campaign within Benghazi, and it has actually gotten local buy-in from the psych ward in Benghazi, the local soccer club, the telecommunications company, as well as other actors there, and it has also allowed them to expand their operations outside of Benghazi for the first time with one event and lecture in Tripoli and the capital.

This also highlights a false narrative that was heard in the media following the attack last year that they were essentially kicked out of the city. This is not true. They were just kicked out of the base that they were in, but the members of the organization stayed within Benghazi, and within a few days after the attack you actually heard from doctors and nurses at the hospital that they had been guarding that they wanted them back there to help out. In addition, we also see a growth in terms of their connections with some tribesmen in the southern city of Ubari, as well as the fact that they opened up a second branch of the organization just 1 week ago in the city of Sirte.

On a regional level we see Libyans going over in droves to Syria right now to fight against the Assad regime, and Libyan nationals are actually the largest number of foreign nationals fighting in Syria against the regime as well as the largest number of foreign nationals who have died. And the worry is, what happens when they go home? Is it going to be a repeat of what we saw in the

1980s in the anti-Soviet jihad in Afghanistan when you saw Libyans going home and then going to fight against the government there?

The difference now though is, unlike in the 1990s, the central government is very weak. We could see this with the different militia groups being able to blackmail the central government in terms of legislation, in terms of individuals in different ministries. Additionally, even though there have been attempts to integrate militias into the police force and military, because of the way Ghaddafi ruled, we saw there are potential issues because of regionalism and localism there. So let us say you have somebody from Zintan trying to do police work in Dharna. There might be potential issues there because of this sort of localized xenophobia in some respects.

So what can the United States and its allies do? I think one of the things is we can't just be holed up in Embassies and staying in the capital. We need to have individuals go out to the cities, get in touch with the local businessmen, the local civil society actors, as well as even the local militiamen to better understand the mosaic in these local communities. Another area where the United States can help out is promoting entrepreneurship. This is what America does best and it is also a way to combat against the community organizing that groups like Ansar al-Sharia in Libya do, since we should be using globalization to our advantage just as they do.

A third aspect is that we should continue our robust intelligence gathering with our local and regional allies as well as our allies in Western Europe who are a lot closer to this. And finally, I think one of the things that should be on the table as long as it is okay with the Libyan Government is that we should think about potentially using drones in southern Libya on the training camps of al-Qaeda in the Islamic Maghreb. This of course could be controversial just because of the debate on drones, but I think it is important. But I would advise against using it in the northeast and west of the country where there are larger population centers. But using it in the south could be legitimate since it is sparsely populated, so collateral damage could potentially be low, and the fact that that is where AQIM is hosting its training camps. Thank you very much.

[The prepared statement of Mr. Zelin follows:]



THE TERRORIST THREAT IN NORTH AFRICA Before and After Benghazi

Aaron Zelin
Richard Borow Fellow
The Washington Institute for Near East Policy

Written Testimony before House Committee on Foreign Affairs,
Subcommittee on Terrorism, Nonproliferation, and Trade and the
Subcommittee on the Middle East and North Africa
July 10, 2013

Thank you, Mr. Chairman and members of the two committees for giving me the opportunity to testify today on the terrorist threat within and emanating from Libya. Currently, one can identify three interrelated, but unique threats:

- **Local:** Ansar al-Sharia in Libya,
- **Regional:** foreign fighter flows to Syria, and
- **Transnational:** al-Qaeda in the Islamic Maghrib

Before discussing this, it is important to note that Libya has all types of violence and most is not related to jihadi organizations or those sympathetic to them. A large portion of it is militia-based, a legacy of the revolution against the Muammar Qadhafi regime, and related to local, economic, or political grievances.¹ This should be kept in mind when contextualizing jihadi violence in Libya, but is beyond the scope of this particular discussion.

Current State of Affairs

Ansar al-Sharia in Libya

Even as the Libyan Islamic Fighting Group (LIFG) put down its arms after the war and joined the political process, new jihadi groups began to emerge.² The premier one has been Katibat Ansar al-Sharia in Benghazi, which first announced itself in February 2012 and is led by Muhammad al-Zahawi, who had previously been an inmate of Qaddafi's infamous Abu Salim prison.³ The organization has since changed its name to Ansar al-Sharia in Libya (ASL) to try and signify it is a national movement as well as no longer primarily a fighting force, though most of its activities are still confined to Benghazi.

ASL has loose ties to several smaller Salafi-jihadi *katibas* (battalions) in Libya, including the shadowy Ansar al-Sharia in Darnah (ASD), led by former Guantanamo Bay inmate Abu

¹ Geoff D. Porter, "The Attack on the U.S. Consulate: Emerging Signs of Jihadist Sentiment in Libya," *CTC Sentinel*, Volume 5 Issue 9, September 2012. Available at: <http://www.ctc.usma.edu/posts/the-attack-on-the-u-s-consulate-emerging-signs-of-jihadist-sentiment-in-libya>

² For more on this see the section on the LIFG in: Aaron Y. Zelin, "Islamism in Libya," in *The World Almanac of Islamism*, American Foreign Policy Council, 2013. Available at: <http://almanac.afpc.org/Libya>

³ Mary Fitzgerald, "It Wasn't Us," *Foreign Policy*, September 18, 2012, http://www.foreignpolicy.com/articles/2012/09/18/it_wasn_t_us.

Sufyan bin Qumu. However, there is not much public record on Qumu's activities in the past two years or if he is even still in Darnah or hiding out in the mountains. ASL also has ties to Katibat Abu Ubaydah al-Jarah, and Saraya Raf Allah al-Sahati. Many of these *katibas* among others participated in ASL's first "annual conference" on June 6, 2012.⁴ Based on photos from the event, as many as a thousand individuals attended. At that time, it was believed that ASL had about few hundred members.⁵ Currently, the group has expanded and at its second annual conference two weeks ago, there were around two thousand people present, though ASL claimed 12,000 came.

The main reason ASL has grown is due primarily to its focus on *dawa* (missionary) activities. While many analysts view jihadism only through the prism of violence, it misses the influence of independent jihadi religious scholars. Since the excesses of Abu Musab al-Zarqawi and al-Qaeda in Iraq last decade, Minbar al-Tawhid wa-l-Jihad (the Pulpit of Monotheism and Jihad)—a library of jihadi primary source material founded by Sheikh Abu Muhammad al-Maqdisi, who is currently imprisoned in Jordan—has attempted to steer the jihadi community to a more "pure" jihad. To do this, Maqdisi established a sharia committee of like-minded scholars in 2009 for Minbar that provide fatwas answering questions along a range of topics from the mundane to political to jihad.⁶

One of the main critiques Maqdisi presents, and hopes to create a course correction within the jihadi movement, is his differentiation between the idea of *qital al-nikayya* (fighting to hurt or damage the enemy) and *qital al-tamkin* (fighting to consolidate one's power), which he expounds upon in his book *Waqafat ma Thamrat al-Jihad* (Stances on the Fruit of Jihad) in 2004. Maqdisi argues the former provides only short-term tactical victories that in many cases do not amount to much in the long-term whereas the latter provides a framework for consolidating an Islamic state. In this way, Maqdisi highlights the importance of planning, organization, education, as well as *dawa* (calling individuals to Islam) activities. As Wagemakers has noted, the creation of the Minbar sharia committee was to forward these views to "protect" the jihad and to better advance the pursuit of a true Islamic state based on the sanctity of the *tawhid* (monotheism) of God.

The formation of Ansar al-Sharia in Libya is likely a logical conclusion and implementation of Maqdisi's ideas, changing emphasis on the groups' actions. One of the main avenues for advancing ASL's ideas has been through their social services programs. This provides an outlet for advancing the consolidation of a future Islamic state that cultivates followers in a broader fashion than the more vanguard-oriented organizations that have been involved in jihadism in a local, regional, or global capacity over the past 30 years. Since the beginning of the Arab uprisings, it appears that al-Qaeda and its associated ideologues have taken note

⁴ The others that were at the conference included, the Islamic Foundation for *Dawa* and *Islah*, The Supreme Commission for the Protection of Revolution of February 17, Liwa Dara Libya, Katibat Shuhada Libya al-Hurrah, Katibat Faruq (Misrata), Katibat Thuwar Sirte, Katibat Shuhada al-Khalij al-Nawfaliya, Katibat Ansar al-Huriyya, Katibat Shuhada al-Qawarsha, Katibat al-Shahid Muhammad al-Hami, Katibat al-Jabal, Katibat al-Nur, Katibat Shuhada Abu Salim, Katibat Shuhada Benghazi, The Preventative Security Apparatus, Katibat al-Shahid Salih al-Nas, and other brigades from Darnah, Sabratha, Janzur, and Ajdabiya. You can view pictures of the conference here: <https://www.facebook.com/media/set/?set=a.373188266078865.86838.156312127766481&type=1>

⁵ Aaron Y. Zelin, "Know Your Ansar al-Sharia," *Foreign Policy*, September 21, 2012,

http://www.foreignpolicy.com/articles/2012/09/21/know_your_ansar_al_sharia.

⁶ Joas Wagemakers, "Protecting Jihad: The Sharia Council of the Minbar al-Tawhid wa-l-Jihad," *Middle East Policy*, Volume 18 Issue 2, Summer 2011, 148–162.

and also pushed for a robust use of *dawa* in the transitioning countries of North Africa that have had unprecedented freedom of expression.⁷

One of the most successful projects that ASL has undertaken is a vigorous anti-drug campaign in cooperation with the Rehab Clinic at the Psychiatric Hospital of Benghazi, the Ahli Club (soccer), Libya Company (Telecom and Technology), and the Technical Company. This suggests that there is buy-in at a town-level. It also highlights the goodwill and positive force some see in ASL for society. Additionally, ASL has been involved with cleaning roads, religious lectures, competitions for children, security patrols, and opening medical clinics and religious schools.

While *dawa* has been their main focus, what is more concerning is that they have also taken part in *hisba* (enjoining right and forbidding wrong; usually connotes vigilante activities) and *jihad* as well.⁸ With regard to *hisba*, al-Zahawi has admitted that his group has been involved in the demolition of Sufi shrines and places of worship.⁹ Further, ASL stormed the European School in Benghazi and took books on the human body because it saw it as contrary to Islam since it was "pornographic" in ASL's view.¹⁰ After being intimidated, teachers at the European school then blacked out the sections, which depicted the human body. There is also a video where members of Ansar al-Sharia in Sirte meted out a punishment by whipping some individuals tens of times.¹¹

Beyond threats to local stability and actors, the most well known act of *jihad* for ASL is when members of the group are believed to have been behind the attack on the U.S. Consulate in Benghazi on September 11, 2012. There was no formal claim of responsibility, but the language used in the initial statement from ASL's spokesman Hani al-Mansuri suggests that some individuals in ASL were part of the attack: "Katibat Ansar al-Sharia [in Benghazi] as a military did not participate formally/officially and not by direct orders."¹² The ideological language used and posting of content unrelated to Libya on ASL's official Facebook suggest its affinity with al-Qaeda's worldview.

As ASL has grown it has been able to expand its scope from beyond Benghazi. Only until this past spring have there been signs of the movement becoming more national. On March 19, ASL's leaders had a meeting with the Ubari tribe, which is located in southern Libya.¹³ Two months later, ASL coordinated its first event outside of Benghazi in Tripoli as part of its anti-drug campaign lecture series.¹⁴ Most recently, on June 28, ASL announced the creation

⁷ Daveed Gartenstein-Ross and Tara Vassafi, "Perceptions of the 'Arab Spring' Within the Salafi-Jihadi Movement," *Studies in Conflict and Terrorism*, Volume 35 Issue 12, 2012, 831-848.

⁸ This three-pronged strategy has also been utilized by Ansar al-Sharia in Tunisia. For more on it see: Daveed Gartenstein-Ross, "Ansar al-Sharia Tunisia's Long Game: *Dawa*, *Hisba*, and *Jihad*," *International Centre for Counter-terrorism - The Hague*, ICCT Research Paper, May 2013.

⁹ Ahmed Maher, "Meeting Mohammad Ali al-Zahawi of Libyan Ansar al-Sharia," *BBC News*, September 18, 2012.

¹⁰ Ansar al-Sharia in Libya, "Statement #7: About the Curriculum of the European School in Benghazi," *al-Raya Media Foundation*, March 3, 2013.

¹¹ You can view the video here: http://www.youtube.com/watch?feature=player_embedded&v=DGJSM2eXaaU

¹² Hani al-Mansuri, "Statement from Katibat Ansar al-Sharia," *al-Raya Media Foundation*, September 12, 2012.

¹³ Ansar al-Sharia in Libya, "Libyan Tribe of the South 'Ubari' is in Benghazi to get to know Ansar al-Sharia," *Raya Media Foundation*, March 19, 2013.

¹⁴ Ansar al-Sharia in Libya, "Campaign With Benghazi Against Drugs Joined by the Faduti Foundation in a Youth Conference in Tripoli," *Raya Media Foundation*, May 12, 2013.

of a new branch in Sirte.¹⁵ All of this points to the group expanding in capacity and influence contradicting some analysis that it was discredited and destroyed in the demonstrations in Benghazi in the aftermath of the US Consulate attack.

Muhajirin (Emigrants) in Syria

On the regional level, Libyans' involvement in Syria in terms of weapons, training, and foreign fighters is another aspect of potential regional destabilization. One of the biggest problems related to this issue is the complete passivity and agnostic reaction by Libya's leaders. For instance, in February 2012, the head of Libyan foreign affairs Ashour Bin Khayal told the *Financial Times*, "Actually we cannot stop anyone from going to Syria. People want to go and fight with the Syrians; no one is going prevent them. Officially we do not have this stance but we cannot control the desire of the people."¹⁶

One of the worst kept secrets locally, but only reported on within the past month is the large amount of weapons that Libyans have sent to Syria via Benghazi and Misrata through Lebanon and Turkey.¹⁷ In addition, similar to the Iraq jihad, Libya has become a transfer point for fighters in the Maghreb headed to Syria. News reports and jihadi sources suggest that some of these individuals have attended training camps in Misratah, Benghazi, the desert area near Hon, and the Green Mountains in the east prior to heading off for the fight in Syria.¹⁸

Even more worrisome is what happens with the Libyan foreign fighters when they come home after fighting in Syria. Many Libyan alumni of the 1980s anti-Soviet jihad came home to overthrow the Qadhafi regime and install an Islamic State. They of course failed, but we could see a repeat of this phenomenon and unlike in the 1990s, Libya is a weak state where much of its territory is not truly controlled by the central government.

In the past decade, Libyans have consistently been among the nationalities that have sent fighters to jihads abroad. For example, in October 2007, coalition forces in Iraq captured records in a raid near Sinjar along the Iraqi-Syrian border that contained a list of foreign fighters that joined al-Qaeda in Iraq between August 2006 and August 2007.¹⁹ Libyan fighters were estimated to constitute 18.8 percent of foreign fighters in Iraq, second only to Saudi Arabia's 41 percent.²⁰ As for the current conflict in Syria, based on a personal archive collected via primary and secondary sources, there have been more than 400 Libyans that

¹⁵ Ansar al-Sharia in Libya, "Founding Statement For Ansar al-Sharia in Sirte," *Raya Media Foundation*, June 28, 2013.

¹⁶ Borzou Daragahi, "Libya Can't Stop Fighters Joining Syria Rebels," *Financial Times*, February 12, 2012. Available at: <http://www.ft.com/intl/cms/s/0/0976ef5e-5248-11e1-a155-00144feabdc0.html#axzz1lu5aY3Sr>; Also see this statement from the NTC: <https://www.facebook.com/NationalTransitionalCouncil.Libya/posts/433095960053399>

¹⁷ Jenan Moussa, "Sur Isalah Libiyah Thaqilah min dhiminaha Sam 7 bi-yad al-Muardhah al-Suriyyah," *Akhbar al-An*, June 16, 2013. Available at: <http://akhbar.alaan.tv/news/post/15136/syria-free-army-libya-heavy-weapons-sam-opposition-exclusive-jenan>

¹⁸ Healer of the Sword, "Is a transnational rival network of Al Qaaidah emerging?," *Islamic Awakening Forum*, May 30, 2012. Available at: <http://forums.islamicawakening.com/t18/is-transnational-rival-network-al-qaaidah-emerging-59127/>

¹⁹ For more on this, see Brian Fishman and Joseph Felter, "Al-Qaida's Foreign Fighters in Iraq: A First Look at the Sinjar Records," Harmony Project, *Combating Terrorism Center at West Point*, January 2008, <http://www.ctc.usma.edu/wp-content/uploads/2010/06/aqs-foreign-fighters-in-iraq.pdf>

²⁰ Christopher Boucek, "Libyan State-Sponsored Terrorism: An Historical Perspective," *Jamestown Foundation Terrorism Monitor* 3, iss. 6, May 5, 2005, [http://www.jamestown.org/single?no_cache=1&tx_ttnews\[tt_news\]=305](http://www.jamestown.org/single?no_cache=1&tx_ttnews[tt_news]=305).

have gone to fight in Syria.²¹ Among this group, not all are jihadis, but in the past year most have been affiliated with Jabhat al-Nusra or other jihadi outfits. In a separate archive that collates jihadi martyrdom notices, more than 100 Libyans have died while fighting in Syria.²²

al-Qaeda and Libya

There are alleged claims of al-Qaeda Central directed presence in Libya. Most recently, in August 2012, the Library of Congress published an unclassified report about the growing presence of al-Qaeda cells in Libya.²³ al-Qaeda's leader Ayman al-Zawahiri as well as Abu Yahya and Atiyatullah prior to both of their deaths planned to create a base for jihad in Libya. The report identified Abu Anas as the "builder of al-Qaeda's network in Libya" and referred to him as an intermediate between al-Qaeda senior leadership in Pakistan and the group's leaders on the ground in Libya. The report also maintains that al-Qaeda is using the name Ansar al-Sharia as a front, though, scant evidence has been provided at this juncture regarding this claim. Further, much of the report provides circumstantial evidence, assertions, and hearsay. Therefore, more information is needed regarding the nature of al-Qaeda Central's presence in Libya prior to assessing its true strength.

A better way one can learn and try and piece together the nature of AQ's presence and aims in Libya is via AQC and AQIM's media releases. Prior to the anti-Qadhafi uprising, al-Qaeda in the Islamic Maghrib had never released any statements focusing specifically on Libya.²⁴ Four statements issued following the outbreak of violence focused on warning Libyans not to trust NATO, appeals to Libyans to become involved in jihadist activities, and calls to create an Islamic state and establish sharia. But the group was vague on how to enact such change, and AQIM has not put forth specific objectives or an agenda for Libya.

AQIM has also made it a point of emphasizing, praising, and congratulating Libyans for overthrowing Muammar Qadhafi. The organization's statements repeatedly referred to Libyans as the "descendants" and "grandsons" of the anti-colonial leader Umar al-Mukhtar, attempting to link the organization to Libyan nationalist narratives.²⁵ Yet the group did not produce any Libyans to deliver these messages, unlike AQC, whose messages on Libya featured Abu Yahya al-Libi as well as Attiyatullah al-Libi, revealed for the first time in March 2011 to have been from the Libyan city of Misrata.²⁶

²¹ Aaron Zelin's personal archive titled "Foreign Fighters Flock to Syria," last updated May 27, 2013.

²² Aaron Zelin's personal archive titled "Jihadi Martyrdom Notices," last updated June 5, 2013.

²³ "al-Qaeda in Libya: A Profile."

²⁴ Aaron Y. Zelin, "Is al-Qaida in the Islamic Maghrib Gaining Influence in Libya?," *al-Wasat*, November 1, 2011. Available at: <http://thewasat.wordpress.com/2011/11/01/is-al-qaida-in-the-islamic-maghrib-gaining-influence-in-libya/>

²⁵ For AQIM's messages related to the Libyan uprising see: al-Qaida in the Islamic Maghrib, "Support and Backing for the [Libyan] Revolution of our Family, the Free, Descendants of Umar al-Mukhtar," *al-Andalus Media*, February 24, 2011; Abu Musab Abd al-Wadud (Abd al-Malik Drukdil), "Support for the Free, Descendants of Umar al-Mukhtar," *al-Andalus Media*, March 18, 2011; Abu Musab Abd al-Wadud (Abd al-Malik Drukdil), "Congratulations on the Victory of the Descendants of Umar al-Mukhtar," *al-Andalus Media*, October 2, 2011; Shaykh al-Ilasan Rashid al-Bulaydi, "Open Letter to the Muslims in Libya," *al-Andalus Media*, October 27, 2011; Shaykh Abu Hayyan Asim: "Khutbah Id al Adha For The Year 1432 H," *al-Andalus Media*, November 18, 2011.

²⁶ Christopher Anzalone, "Al-Qaeda loses its 'renaissance man,'" *Foreign Policy*, September 9, 2011. Available at: http://afpak.foreignpolicy.com/posts/2011/09/09/al_qaeda_loses_its_renaissance_man; For the statements see: Abu Yahya al-Libi: "To Our People in Libya," *As-Sahab Media*, March 12, 2011; Atiyatullah Abu Abd ar-Rahman:

In March 2011, both Attiyatullah and Abu Yahya issued statements “congratulating” Libyans on shaking off Qadhafi’s rule, focusing on the primacy of instituting sharia as the sole source of legislation in the new Libya, and warning against the potential that the United States or Libyans with links to Qadhafi’s regime could usurp the rebels’ victory. Attiyatullah, however, called for reconciliation if possible with those who “made mistakes and wrong choices in the previous era.”

In December 2011, though, Abu Yahya’s message was more forthcoming on specific suggestions to Libyans, including recommendations for: the “formation of a board ... to oversee the realization of the revolution’s demands”; a call for rebels not to give up their weapons; an invitation for Islamic scholars to form an independent committee that would have a direct role in formulating Libya’s constitution; and the severing of any ties the rebels had with Western governments. Indeed, this statement is one of the more substantive points made by an AQC senior leader regarding the Arab Spring. Despite passing mention from other leaders like Zawahiri, it seems that AQC left Libyan messaging to the group’s Libyans, though we do not know who within al-Qaeda actually formulated the group’s messaging on Libya.

The most recent message from AQC or AQIM on Libya came ten months ago when AQIM lauded the attack on the US Consulate in Benghazi and encouraging more such actions from the *mujahidin* in the region.²⁷ The lack of messaging highlights that although jihadis find Libya important it dwarfs compared with issues like Syria or Egypt. More troublesome is the current low profile that AQIM is keeping in southern Libya after elements of the organization were ejected from Northern Mali following the French invasion earlier this year.

Due to the lack of state control and secrecy of an organization like AQIM, it is difficult to know exactly the nature of where in southern Libya they are located and what they are specifically doing. That said, it is likely that they are using this new base to recruit, train, and plan attacks. Both attacks by Mukhtar Bilmukhtar’s Katibat al-Mulathamun, formerly of AQIM, but still loyal to AQC, are believed to have been planned or emanated originally from a Libyan safe haven.²⁸ At this point, there is no indication that groups like AQIM are planning attacks in the West beyond rhetorical points in messaging. That said, it is not inconceivable that they would in the future, though if the opportunity presented itself.

“Tribute To Our People in Libya,” *As-Sahab Media*, March 18, 2011; Abū Yahya al-Libi: “What Is Intended For Libya?,” *As-Sahab Media*, December 5, 2011.

²⁷ al-Qaeda in the Islamic Maghrib, “Except the Beloved Oh Worshipers of the Cross,” *al-Andalus Media*, September 17, 2012.

²⁸ Paul Cruickshank and Tim Lister, “Algeria attack may have link to Libya camps,” CNN, January 23, 2013.

Available at: <http://edition.cnn.com/2013/01/18/world/africa/algeria-attackers/>; “Niger attacks launched from southern Libya - Niger’s president,” *Reuters*, May 25, 2013. Available at: <http://www.reuters.com/article/2013/05/25/niger-attacks-libya-idUSL5N0E60DD20130525>

Conclusion

The case of a threat emanating from Libya locally, regionally, and internationally is very real. It should not be overstated, though. Most jihadis are far more interested and focused on Syria and likely to be on Egypt in light of the coup d'état and subsequent arrests and violence by the military. Libya will still be a challenge, though. Militia actors and the periphery is stronger than the central government. The integration of militias into a legitimate police force and military has opened regional fissures among different cities in Libya due to the mistrust of regional outsiders by locals (which is a legacy of Qadhafi's divide and rule). Further, the blackmailing of the government by militias has eroded legitimacy in the new system, which hinders the ability to check emerging violent trends within the country. The United States therefore cannot rely on the government for help, it must work outside of the capital and get to know local actors since that is where the battles will occur. Containment with regional and Western European allies is likely the best one can hope for at this juncture. The situation is not ripe for a quick and easy fix or a short battle. This will be something that should continue to be monitored.

Mr. POE. Dr. Byman, I recognize you for 5 minutes.

**STATEMENT OF DANIEL L. BYMAN, PH.D., PROFESSOR,
SECURITY STUDIES PROGRAM, GEORGETOWN UNIVERSITY**

Mr. BYMAN. Chairman Poe, Chairman Ros-Lehtinen and Ranking Members Sherman and Deutch, distinguished members of the subcommittees, thank you for this opportunity to testify today. I am humbled to be here on the panel with Michael Lovelady. Please know that my thoughts go out to him, his family, and the other relatives of those Americans who have died in Algeria and from other terrorist attacks.

There is a bit of good news, which is that the al-Qaeda core is weaker, in part, due to the American drone campaign. But the bad news is that affiliate groups like al-Qaeda in the Islamic Maghreb or groups or individuals that have no formal relationship with al-Qaeda but share many of its goals are filling the void. They are taking advantage of greater state weakness in the Middle East which is likely to increase in the years to come.

We have seen terrorism spread to new areas since the Arab Spring, and several African countries have also become more dangerous. In recent weeks, Egypt has become markedly less stable so similar plots in chaotic areas are likely to be in our future. The only strong regime in the North Africa region is Algeria, and the United States has at best a lukewarm relationship with the Algerian Government.

Algerians are at the core of AQIM, and the Algerian Government runs the most extensive spying network in the region. So we must look to Algeria to get at both the problem and the solution. However, the Algerian Government has a history of manipulating opposition groups including violent terrorist groups, making it difficult to trust the information it provides. I believe that the U.S. reaction to the Benghazi attack may leave us less prepared for terrorism in the future.

During my time as a staff member of the 9/11 Commission and for the House and Senate joint committee investigating 9/11, we consistently pushed for a CIA and a State Department that were more expeditionary and willing to take risks. In short, we wanted more people with the courage, experience, skill and mindset of Ambassador Stevens. His loss was a great tragedy for our country. Unfortunately, the political and bureaucratic lesson of Benghazi is clear. Avoid taking risks at all costs.

American diplomats will be more confined to well-guarded parts of capital cities and more removed from local populations. This will keep them safer, but U.S. intelligence is likely to decline and U.S. statecraft to diminish. Better intelligence and good relations are important for keeping Americans safe in different parts of the world and in the U.S. homeland. It is impossible to quantify the benefits derived, but better intelligence allows numerous plots to be disrupted and better relations reduce hostility to the United States and improve cooperation when trying to disrupt attacks or manage their consequences. Trying to improve intelligence and relations, however, will put those Americans charged with gathering intelligence and those State Department officials charged with improving relations at more risk.

The United States should bolster not draw down its presence in North Africa. America has important interests in the region, and in any case the threats will not disappear simply because the United States chooses to ignore them. Jihadists may point to any U.S. retreat after Benghazi as proof of U.S. cowardice. The region is now a growing arena for jihadists and the size of their area is growing. In addition, jihadists from the region as well as weapons from Libya are showing up in places like Syria and Sinai, and here I commend a recent report authored by my colleague here, Mr. Zelin.

In short, the region's problems are no longer regional. We should seek to understand and engage regional governments to counter the threats that emanate from North Africa. To this end we need a robust intelligence and diplomatic presence even in dangerous countries or ones that suffer from governments that reject democratic practices. Because the operating environment is risky, the United States should augment and systematize its rapid response capabilities and post-attack procedures. The United States must also work more with allies like France to prepare for contingencies. In addition, U.S. bureaucracies should adopt a more regional response to the terrorism threat. Unfortunately, U.S. bureaucracies still face difficulty working in a regional way.

Finally, it is particularly important to hedge as we expand ties to undemocratic regimes. This involves expanding the range of American contacts across government and society and trying to find alternative solutions to dependence on troubling countries like Algeria. Such hedging allows the United States to protect its interests yet make clear to regime figures that the United States is not completely dependent on them. This both makes U.S. pressure more credible and leaves the United States in a better position to deal with the aftermath of revolution. Thank you again for this opportunity to present my views.

[The prepared statement of Mr. Byman follows:]

Terrorism in North Africa: Before and After Benghazi

Prepared Testimony before the joint hearing of the Terrorism, Nonproliferation, and Trade Subcommittee and the Middle East and North Africa Subcommittee of the House Committee on Foreign Affairs

July 10, 2013

Daniel Byman

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Chairmen Poe and Ros-Lehtinen, Ranking Members Sherman and Deutch, distinguished members of the subcommittees and staff, thank you for the opportunity to testify today. I am honored to be here to express my views. I am also humbled to be here on the panel with Michael Lovelady. Please know that my thoughts go out to him and the other relatives of those Americans who have died in Algeria and from other terrorist attacks.

The terrorist attacks in Benghazi that killed Ambassador J. Christopher Stevens and three other Americans have received exhaustive coverage, yet many of the long-term implications have not been fully considered. Future attacks, particularly those in North Africa, are likely to involve a Benghazi-style mix of jihadists of different nationalities, making it difficult to determine exactly who is responsible. Libya remains troubled, and the broader Maghreb and Sahel areas are unstable. Greater state weakness, not more stability, is likely in the years to come. So similar plots may be in our future.

I believe the U.S. reaction to the Benghazi attack, however, is likely to leave us less prepared for future terrorism. U.S. knowledge of Libya and the region has always been limited. Unfortunately, the political and bureaucratic lesson of Benghazi is clear – avoid risks at all costs. American diplomats and spies will be more confined to well-guarded parts of capital cities and more removed from local populations. This will keep them safer, but U.S. intelligence is likely to decline, and U.S. statecraft to diminish. In the long-run, diminishing U.S. capabilities could pose a grave danger to U.S. security, increasing the risk of a surprise attack or a regional development that catches the United States unawares. In addition, jihadists may point to any U.S. retreat after Benghazi as proof of U.S. cowardice.

The United States should bolster, not draw down, its presence in North Africa. America has important interests in the region and in any case the threats will not disappear simply because the U.S. chooses to ignore them. The region is now an important arena for jihadists, and the size

of their area of operation is growing. In addition, jihadists from the region and weapons from Libya are showing up in places like Syria and Sinai.

We should seek to understand and engage regional governments and peoples to counter the threats that emanate from North Africa. To this end, Washington should maintain a robust and energetic intelligence and diplomatic presence, even in dangerous countries or ones that suffer from governments that reject democratic practices. Because the operating environment is risky, the United States should augment and systematize its rapid response capabilities and its post-attack procedures. In addition, Washington should adopt a more regional response to the terrorism threat, work more with allies like France to prepare for contingencies, and increase overall intelligence and diplomatic attention to the Maghreb and surrounding areas.

The remainder of my testimony has three parts. First, I briefly discuss the attack on the U.S. consulate in Benghazi and assess what it means for the state of Al Qaeda today. Second, I discuss future challenges in the Maghreb, including Algeria as well as Libya, from a counterterrorism point of view. Third, I present implications and recommendations for the United States.

I. The Benghazi Attack and the State of Al Qaeda

The Benghazi attack exhibited several characteristics that are likely to manifest in future terrorist attacks in the Maghreb region. The attacks were:

- ***Of Limited Sophistication.*** In contrast to the years of planning that went into the 9/11 attacks and other terrorism “spectaculars,” the attackers in Benghazi used military methods suggesting basic coordination and training but not more cutting-edge methods. The weapons used – RPGs, AK-47s, heavy machine guns and artillery mounted on trucks, and so on – are not advanced and are widely available. Many fighters from Al Qaeda, associated movements, and jihadist local organizations have these skills and similar weapons.
- ***Not Tied to Particular Events.*** Although some initial reports suggested that the attackers used the “Innocence of Muslims” video and associated demonstrations as justification, subsequent information makes clear this was at most a pretext. The United States was supporting efforts of the government of Libya to consolidate control over the eastern part of the country, but there was no single identifiable U.S. government action at the time that drew the ire of local terrorists: rather local jihadists simply wanted to attack U.S. personnel and facilities and did so. Even assuming the video in question mattered, there will always be similar pretexts that terrorist groups can cite to justify their attacks.
- ***Continued Vulnerability of Diplomatic Facilities.*** Diplomatic facilities, like military forces and civil aviation, remain a constant source of targeting interest for jihadist attackers. Between 1998 and 2011 there were 13 deadly attacks on U.S. diplomatic facilities, most of which were linked to Al Qaeda, associated movements, or those who share aspects of its ideology. There were also innumerable attempted attacks and plots that were abandoned because of effective intelligence and defensive measures.

- **Not a Reflection of Al Qaeda Popularity.** Extremist Islamist movements are not particularly strong and popular in the Maghreb. In Algeria in particular they are less popular than they were in the 1990s. Rather, as discussed below, these groups take advantage of weak governments and a chaotic operating environment more than they depend on public support.
- **Not Linked to U.S. Popularity.** Some polls showed Libyans in general to be the most pro-American of all Arab states, with eastern Libya in particular having a favorable view of Americans due to the prominent American role in helping the Libyan revolution defeat Qaddafi's forces.¹ Although foreigners and foreign influence are unpopular in parts of Libya and the United States is seen as supporting some factions over others, only a minority of Libyans supported the attacks, and only a minority of a minority was actively involved.
- **A Mix of Groups and Individuals.** It does not appear that the Al Qaeda core orchestrated the Benghazi attack, and the assault shows how the core has spawned a variety of lesser but lethal movements. The attack involved individuals from multiple groups, making it difficult to narrow responsibility even months after the attack. In addition to Libya itself groups and factions from Egypt, Yemen, Tunisia, and Algeria all seem to have been involved.² This sort of networked coordination, where like-minded individuals from different organizations cooperate in limited ways, is typical of Al Qaeda and associated movements as well as individuals who share no formal affiliation with the mother movement but embrace parts of its ideology.

The Nature and Limits of Al Qaeda-Type Groups in the Maghreb

Al Qaeda in the Islamic Maghreb (AQIM) and other groups in the region are capable of massive violence, even by the standards of the broader Al Qaeda-linked movements. During the 1990s, the Algerian civil war saw unspeakable horrors against civilians. According to Canadian diplomat Robert Fowler, who was kidnapped by AQIM, the terrorists whom he came to know were far more impressed with the late Iraqi leader Abu Musab al-Zarqawi, who personally beheaded captives and favored bloody attacks on fellow Muslims who would not support his leadership, over the (relatively) more muted and anti-Western approach favored by Al Qaeda leader Ayman al-Zawahiri.³

The various organizations in the Maghreb are divided but not necessarily hostile to one another. Many are linked in one way or another to AQIM, whose key leaders are Algerian but whose membership includes a wider range of individuals from around the region. Although AQIM has many splinters, the splinters often work together, cooperating on attacks, kidnappings, and other operations.

¹ Jay Loshky, "Opinion Briefing: Libyans eye New Relations with the West," August 18, 2012.

www.gallup.com/poll/156539/Opinion-Briefing-Libyans-Eye-New-Relations-West.aspx; Dan Murphy, "Eastern Libya poll indicates political Islam will closely follow democracy," December 26, 2011, *Christian Science Monitor*.

² Paul Cruickshank, Tim Lister, Nic Robertson, and Fran Townshend, "Sources: 3 al Qaeda operatives took part in Benghazi attack," CNN, May 4, 2013.

³ Robert Fowler, *A Season in Hell* (Harper Collins, 2011).

Al Qaeda affiliates and local organizations, like Ansar al-Sharia embrace some of Al Qaeda's rhetoric, but they are not under Zawahiri's thumb and many have little direct organizational relationship. The core organization under Bin Ladin, and now Zawahiri, used to bring people under its banner because it could offer money and useful services like training camps. Both these incentives have been diminished.⁴ Affiliates and local groups often disagree with core leadership on a wide variety of issues, ranging from target prioritization to the degree and types of civilians who might be attacked. To the disappointment of al-Qaeda's core leadership, AQIM leaders have not tried hard to mobilize supporters in Europe on behalf of global jihad and have not brought the "war" to the Continent.⁵ As Jean-Pierre Filiu comments, AQIM "is the branch of the global jihad that has most clearly failed to follow its founding guidelines."⁶

In addition, the highly effective U.S. drone campaign has not only removed key Al Qaeda core leaders but has also made it far harder for them to communicate with one another and exercise command over the broader jihadist movement. A tip sheet found among jihadists in Mali advised militants to avoid drones by maintaining "complete silence of all wireless contacts," to "avoid gathering in open areas," noting that leaders "should not use communications equipment," and taking strenuous measures to root out spies, among other suggestions.⁷ The implications for group effectiveness are staggering. In essence group leaders cannot lead as they must hide or remain incommunicado. Training on a large-scale is hard if not impossible, as large gatherings can be lethal. In combat, they cannot mass or bring in significant reinforcements. In other words, the drones turn al-Qa'ida's command and control structure into a liability, forcing it to have no leaders or risk dead leaders.

The bad news is that affiliates themselves are filling the void created by the weakness of the core. For years Al Qaeda in Iraq (AQI) was a strong and powerful force that influenced other jihadist groups. AQIM is trying to play that role in the Maghreb, working as we have seen with groups in Libya and Mali, and expanding ties to Nigeria's Boko Haram.

Al Qaeda and its allies are likely to see the U.S. response to the Benghazi attack as a victory and proof of America's cowardice. Bin Ladin had long claimed that the United States hid behind defenses and technology and pointed to U.S. withdrawals from Lebanon and Somalia after terrorist attacks as "proof" that the United States will fold if hit hard. The U.S. retreat from Benghazi and the handwringing in the United States risk encouraging the jihadist perception that the United States has not changed even after 9/11.

II. Future Counterterrorism Challenges in the Maghreb

Beyond the specific implications for Al Qaeda and associated movements in the Maghreb, the United States is likely to find counterterrorism more difficult because of the high level of instability in the region and the difficulty of working with key partners like Algeria.

⁴ Daniel Byman, "Breaking the Bonds between Al-Qa'ida and Its Affiliate Organizations," Saban Center at Brookings Analysis Paper 27 (August 2012), <http://www.brookings.edu/research/papers/2012/07/alqaida-terrorism-byman>

⁵ Jason Burke, *The 9/11 Wars* (Allen Lane, 2011), p. 417.

⁶ Jean-Pierre Filiu, "Al-Qa'ida in the Islamic Maghreb: A Case Study in the Opportunism of Global Jihad," *CTC Sentinel* 3 (April 2010): p. 14.

⁷ Associated Press, "The Al Qaeda Papers: Drones," (no date), http://hosted.ap.org/specials/interactives/_international/_pdfs/al-qaida-papers-drones.pdf

The Spread of Instability

A functional Libyan state has never really existed. Qaddafi, rather than building one, ruled through fear and vision. Enabled by its vast hydrocarbon wealth, the Libyan economy was top-down, never allowing the private sector and an independent middle class to develop.

The stability of Libya today has not fundamentally changed since the September 11, 2012 attacks: anarchy does not reign complete, but neither has the government consolidated power. Since the revolution the country has had successful elections, and its economy has recovered reasonably though oil exports still remain less than pre-revolutionary levels. Islam and some sense of Libyan identity are unifying forces. In addition, Libya's neighbors – in contrast, to say, Syria's – have not actively intervened to back one faction over another.

On the other hand, the state still does not function: the army, the police, the judiciary, and other basic security institutions are weak and politicized.⁸ Armed gangs and militias, some of which reflect tribal or regional forces and others leftovers from the revolution, remain active almost two years of the revolution. The militias vary in type, legitimacy, and size: some have revolutionary legitimacy and local support; others are criminals masquerading as community defenders. The country lacks an effective judicial system, so militias rather than the police or authorized officials arrest those suspected of crimes, run prisons, and otherwise offer a form of rough justice.⁹ When powerful sub-state actors oppose any particular government action, they simply seize the ministry or surround the Congress and force the government to acquiesce. These militias are both the source of many problems, particularly the lack of government authority and legitimacy, and a reflection of them. Libyan institutions and security forces remain weak and discredited, so people turn to militias; because militias are strong, Libya's state remains weak. On balance conflicts in Libya are limited, but they are not moving toward resolution. Because of this weakness, the Libyan state has not consolidated power in much of the country and is unable to disarm or crush groups like Ansar al-Sharia. This includes much of eastern Libya, but also much of the southern desert regions.

Libya is ripe for homegrown terrorists and foreign terrorist penetration. The Al Qaeda core has long included Libyans in its ranks and reportedly dispatched operatives to build an organization in the post-Qaddafi era. Jihadists of various stripes were released from jail, and some returned to Libya from exile. Homegrown groups like Ansar Al-Sharia have found room to operate. In addition, the Libyan civil war has opened up Qaddafi's vast arsenals to Libyan groups, and Libyan weapons have found their way not only to its neighbors like Mali but also to Gaza, Sinai, and even Syria.¹⁰

More broadly, the Maghreb and the Sahel region are highly unstable. Two of Libya's neighbors, Egypt and Tunisia, have undergone dramatic regime changes in recent years, and at the date of this testimony Egypt's future course is anyone's guess. Sudan recently saw the secession of its southern region while other parts of the country clamor for independence. Nigeria and Mali suffer civil wars. Chad is poor, corrupt, and plagued by coups and has suffered several dramatic terrorist attacks in recent months. Borders in the Maghreb are porous. Part of

⁸ Daniel Graeber, "Libyan Oil Production Slows as World Looks Elsewhere for Fuel," *Christian Science Monitor*, June 13, 2013, <http://www.csmonitor.com/Environment/Energy-Voices/2013/0613/Libya-oil-production-slows-as-world-looks-elsewhere-for-fuel>

⁹ International Crisis Group, "Trial by Error: Justice in Post-Qadhafi Libya," April 17, 2013.

¹⁰ Phoebe Greenwood, "Looted Libyan Arms Flowing Into Gaza," *The Telegraph*, August 23, 2011 <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8718704/Looted-Libyan-arms-flooding-into-Gaza.html>

this is geographic and historical – various tribes have long had economic and kinship ties that transcend borders – but the biggest problem is government weakness. So even if one country is adopting policies that make it stronger, it can still suffer violence emanating from its neighbors.

Not only does instability in one regional state affect its neighbors, but the Maghreb in general is an exporter of radicalism. A recent Washington Institute for Near East Policy study found Tunisia and Libya – more even than traditional producers of radicals like Saudi Arabia – was a source of suicide bombers for the Syrian conflict.¹¹ So the United States cannot write off this region in the hope that its trouble will remain geographically confined.

Algerian Dilemmas

The only strong regime in the region is Algeria – and the United States knows relatively little about this country and has at best a lukewarm relationship with its government. Algerians are the core of AQIM, and the government runs the most extensive spy network in the region: so we must look to Algeria to get at both the problem and the solution. Algeria was more pro-Soviet than pro-American in the Cold War, and it is prickly about its independence. Part of this is because of the secretive nature of the Algerian regime. However, Algeria has not been an intelligence or diplomatic priority. Algeria has long bristled at many cooperation requests, though intelligence cooperation did improve after 9/11 and is now far better. However, from an intelligence point of view, the Algerian government has a history of manipulating opposition groups, including violent terrorists, making it difficult to trust the information it provides. In particular, there are rumors that Algerian intelligence has worked with Iyad Ag Ghali, the head of Ansar al-Dine in Mali, and also with Mukhtar Belmukhtar. The Algerian government seeks to divert these groups against other targets and divide the movement, but in doing so it is playing with fire.¹²

Despite its relative strength, Algeria's own stability is in question. Predicting social revolution is notoriously difficult, but Algeria seems ripe for dramatic change. Algeria has resisted the Arab spring so far: the regime's ruthless and effective repression, its ability to coopt potential rivals, and the memory of a horrific civil war that left an estimated 200,000 dead in the 1990s have dissuaded citizens from taking to the streets in large numbers. However, with neighbors like Tunisia and Libya in the throes of change, a stagnant economy, a large youth population, and a government with weak legitimacy, mass protests could sweep Algeria. In particular, the recent stroke of President Abdelaziz Bouteflika, though his role was largely to offer a façade for military rule, could foster a succession question that leads Algerians to demand more serious change – this may occur even before the scheduled 2014 Presidential elections. What the future holds is unclear: the United States must be prepared for revolution, instability, or continued rule by the military and security services.

III. Implications and Recommendations for the United States

The aftermath of the Benghazi attack and subsequent events in North Africa suggest four areas in which the United States must improve: bolstering *local* intelligence and diplomacy,

¹¹ Aaron Zelin, Evan Kohlmann, and Laith al-Khouri, "Convoy of Martyrs in the Levant," Washington Institute for Near East Policy (June 2013) <http://www.washingtoninstitute.org/uploads/Documents/opeds/Zelin20130601-FlashpointReport-v2.pdf>

¹² Bruce Riedel, "Algeria a Complex Ally in the War against al Qaeda," *AL Monitor*, February 3, 2013.

augmenting rapid reaction capabilities, making foreign policy reflect regional as well as state-focused concerns, and increasing overall attention to the Maghreb and surrounding areas.

Local Intelligence and Diplomacy

Better intelligence and good local relations are important for keeping Americans safe in different parts in the world and in the U.S. homeland. It is impossible to quantify the benefits derived, but better intelligence allows numerous plots to be disrupted, and better relations reduces hostility to the United States and improves cooperation when trying to disrupt attacks or manage their consequences. Trying to improve intelligence and relations, however, will put those Americans charged with gathering intelligence and improving relations at more risk.

That Benghazi was dangerous was well-known to all. Before the September 11 attack, an IED breached the U.S. consulate in Benghazi's perimeter. The International Committee of the Red Cross, in general a bold organization, had suspended operations there before the attack that killed Ambassador Stevens. There had been attacks on the British ambassador and on the Tunisian embassy. Other diplomats and foreign citizens were kidnapped or attacked. Indeed, the presence of terrorism was the reason for such a large intelligence presence in Benghazi.

Ambassador Stevens knew Libya and Benghazi well. He was popular among Libyans and his worry about the dangerous security environment in Benghazi stemmed in part from this knowledge. During my time as a staff member of the 9/11 Commission and for the House and Senate joint committee investigating 9/11, we constantly pushed for a CIA and a State Department that was more expeditionary and willing to take risks – in short, we wanted more people with the courage, experience, skill, and mindset of Ambassador Stevens. His loss was a great tragedy for our country.

The U.S. reaction to his death, however, risks putting undue constraints on American intelligence and diplomacy. These will ultimately undermine rather than protect U.S. interests abroad and safety at home. The bureaucratic and political lesson of Benghazi is to further confine American diplomats and spies in well-guarded parts of a capital city and remove them even more from the local population. This will keep them safer, but it will also make them less effective. They will not mingle with the local population and learn their concerns and gain their support (indeed, a recent attempted attack on Italian diplomats in Libya was foiled by an alert and supportive Libyan citizen).¹³ They will be less able to gather intelligence on local groups. They will not take risks. And America will be less able to stop terrorism and secure its interests.

The United States will also become more dependent on foreign governments to provide intelligence. At times, reliance on foreign governments is beneficial – even ideal. In Morocco, for example, the local intelligence service is skilled and an important partner of the United States. In Algeria, however, the intelligence service is often suspicious of close cooperation with the United States. In countries like Libya and Mali, the intelligence services are weak and do not have access to or extensive sources in much of their countries. In such cases the United States needs to develop its own sources.

In Sudan, the United States closed its embassy in 1996 due to the high risk of a terrorist attack. From a force protection perspective, this made sense: the danger was quite real. It also meant, however, the United States lost valuable intelligence on a nascent Al Qaeda and was unable to recognize important shifts in the attitude of the government of Sudan toward

¹³ Fessan Mohammad, "Tripoli Car Bomb Targets Italian Diplomats," June 12, 2013, *Magharebia*, http://magharebia.com/en_GB/articles/awi/features/2013/06/12/feature-01

counterterrorism cooperation. In the long-term the loss of this information may have cost American lives. Cutting and running from places like Benghazi may lead to similar losses.

The United States still needs to deploy diplomats and spies in danger zones. In many ways, they are America's first line of defense, learning about problems before they are apparent in Washington and cultivating assets to handle them. In addition, the United States needs local access after any attack. As the problems the FBI has incurred in its Benghazi investigation suggest, the government in Tripoli cannot ensure access to the scene of the attack and other important investigative needs. Washington also needs local sources to learn more about the identity of the attackers and possible follow-on attacks.

The Obama administration and the U.S. Congress – including the leadership of both parties – should make it clear that “failures” like Benghazi will be scrutinized, but also that we should expect losses when diplomats and spies operate in remote parts of unstable countries about which we know little where terrorist groups are also active. Surprise, mistakes, and bureaucratic confusion will be inevitable, and risk-taking should be rewarded over a caution that leaves the United States blinded, uninformed, and with few local friends as trouble develops.

Rapid Reaction Standardization

It would have been difficult for outside forces to have rescued Ambassador Stevens and his colleagues given the ferocity and rapid nature of the attack. And, in general, tactical warning is usually absent when it comes to terrorist attacks. One of the responses to this lack of tactical warning was to improve the defenses at U.S. embassies – the so-called “Inman guidelines.”¹⁴ Although U.S. defenses are far from foolproof, they have saved many lives as terrorist groups have been foiled or have moved on to other targets.

The United States must improve its ability to respond rapidly to unexpected terrorist attacks like the Benghazi assault. Anticipating the type of motley medley of groups and individuals involved in Benghazi is difficult. Moreover, given the unsure security situation in Libya – and problems facing the United States elsewhere in the region given government weakness and limits on intelligence – we should expect regular surprises from groups and cells of which we were previously unaware.

In some cases even careful advanced preparation will matter little, but in others it may prove the difference between life and death. In April 2013, the Pentagon announced that the U.S. Marines had developed a rapid reaction force for North Africa that could quickly deploy 500 Marines within 12 hours.¹⁵ This is impressive progress, but the time window needs to be smaller. This may involve deploying a smaller force – again, which means incurring more risk – but this could save many lives while enabling more expeditionary U.S. intelligence and diplomacy. Nevertheless, we must move away from the idea that spies and diplomats will have absolute protection. Even spending vast amounts of money to improve rapid reaction will still leave U.S. officials vulnerable if they are aggressively gathering information and trying to win over locals as they should be.

A Regional Response

¹⁴ See “Report of the Secretary of State’s Advisory Panel on Embassy Security,” (The “Inman Panel”), 1985, <https://www.fas.org/irp/threat/inman/part02.htm>

¹⁵ Barbara Starr, “After Benghazi, Marines approved for crisis response force,” CNN, April 2, 2013.

U.S. diplomacy in North Africa and the Sahel area is still divided by country, and in some cases by geographic divisions (“Near East” vs. “Africa”). There is no ideal bureaucratic organization that perfectly balances state-specific concerns with ones that cross borders like terrorism, but in general U.S. bureaucracies are not well coordinated across regional lines. But terrorist groups from Algeria operate in Libya, what happens in Libya shapes Mali, and what happened in Mali contributed to terrorist attacks in Algeria and Niger. Although the terrorism problem crosses borders, different ambassadors have different policies regarding counterterrorism efforts. North Africa and the Sahel region tend to be separate bureaucratically even though many of their problems are linked. The U.S. military has steadily developed and expanded regional bodies like AFRICOM to meet this challenge. Intelligence and diplomatic structures need to follow suit.

Prioritizing the Maghreb and Surrounding Areas

Often with justification, the United States has not made Algeria, Libya, Mali, and other states in the region priorities. Historic ties are limited, their energy supplies were not under threat, and their role in issues such as the Arab-Israeli dispute was marginal.

With the spread of Al Qaeda-focused international terrorism, however, the balance of interests has changed. The region itself is now an important theater of jihad, with AQIM playing a regional role and numerous smaller groups showing up elsewhere in the several countries. Even worse, as the Syrian civil war indicates, the region is now an exporter of terror, with volunteers from the Maghreb and weapons from Libya showing up many miles away.

Part of what is required is simply beefing up the U.S. diplomatic and intelligence presence in the region. This is a long-term effort, requiring training, rewards for deployment, and promotion of officers with expertise in this area. The military’s effort with AFRICOM is one valuable step, and this should be encouraged. So too should similar efforts by the Joint Special Operations Command to work more with local officials. However, it is often cheaper and wins more friends if intelligence officials and diplomats, not soldiers, take the lead on many issues.

One tricky issue concerns the Algerian government. It is corrupt and brutal – and it is a strong candidate for revolution. Moreover, its intelligence services are shadowy and duplicitous. Despite all these problems, greater engagement is necessary because of Algeria’s importance and the knowledge of the security services there. In addition, the United States is not likely to have a significant impact on the nature of the Algerian regime: because we have little leverage, an aggressive democracy promotion strategy could lose us cooperation but at the same time do little to help those who want better government in Algeria. However, the United States should lay the groundwork for better politics over time – supporting NGOs that seek to advance democracy and liberal values, promoting vocational education, and trying to bring Algerian society and its youth in particular in contact with the broader world.

Particularly important is hedging as we expand ties to the regime. This involves expanding the range of American contacts across government and society, consulting more with allies on joint policies, and trying to find alternative solutions to dependence on Algeria for key security issues (such as bases for U.S. drones). Such hedging allows the United States to protect its interests yet make clear to regime figures that the United States is not completely dependent on them. This both makes U.S. pressure more credible and leaves the United States in a better position to deal with the aftermath of succession or revolution.

More broadly, the United States will be working with weak governments like Mali and Libya as well as more established and stable ones like Morocco. Some of these governments, like Mali, will suffer coups or otherwise have unacceptable and anti-democratic practices. The United States, however, cannot simply drop its relations with regional states and then resume them a few years later when the dust settles. Although principled abstention plays well at home, in that interim we lose valuable intelligence and relationships. Steady contact and pressure to improve governance is often more useful than dramatic gestures that burn bridges but do little to help foster democracy.

Often the United States will need to rely more on regional allies, particularly France. U.S support for French military efforts in Mali, though grudging at first, was a valuable step given both France's historical ties and associated knowledge of the region and Paris' willingness to act as the Mali problem metastasized. Given France's ties to other hotspots like Mali and Algeria, the United States should engage in serious contingency planning with France for the region to identify ways to burden share and otherwise take advantage of what each country has to offer.

Terrorism in and emanating from the Maghreb and Sahel regions, both of which threaten American lives and interests, will continue and may even grow in the years to come. The tragic attack in Benghazi and other subsequent terrorism in North Africa is not a reason to retreat. An effective response will require more local and regional partners, more cooperation with allies, more resources, and most of all a willingness to accept risk.

Mr. POE. Mr. Lovelady for 5 minutes.

STATEMENT OF MR. MIKE LOVELADY, BROTHER OF ALGERIAN GAS PLANT TERRORIST ATTACK VICTIM, VICTOR LOVELADY

Mr. LOVELADY. Good morning.

Thank you, Mr. Poe, for the opportunity, and the rest of the committee members, to come testify on behalf of my brother. I have just got a story I put together on how this went down, and I think it would be very, very helpful for you to understand the hurt that my family feels.

On the morning of January 16, 2013, at approximately 3:30 a.m., my home phone rang. As usual, a call at this time in the morning does not bring good news. When my wife answered the phone, a strange voice asked, who is speaking? When my wife refused to give her name she heard Victor state, "Wanda, I am in trouble. I need Mike."

When I answered the phone Victor stated, "I am in trouble. I have been captured by al-Qaeda and we are tied up." Then Victor asked me to tell his wife Maureen about his situation in person, because he did not want her to be alone when she got the news about him. Victor then said, "You will know what to do." I told him that I would notify his wife, contact the FBI and the U.S. State Department. I attempted to ask questions about his situation, but he stated that the captors were next to him and he could not answer any questions. Then we told each other bye. That was the last I have ever heard from my brother. Victor was only 57 years old and my only sibling.

Victor and I grew up in Nederland, Texas, with wonderful parents that raised us with traditional and solid values that would help us throughout our lives. We were the type of family that did everything together such as going to the beach or the lake. As we grew up and went in different career paths we did not get to see each other as much as I would have liked. However, we still talked on the phone a lot. I always considered Victor the genius of the family. I admired his ingenuity and I was in awe of his knowledge about electricity and electronics.

Victor had two degrees from Lamar University in Beaumont, Texas. His Bachelor of Science was in Industrial Engineering and his Associates Degree was in Electricity and Electronics. Victor was a great brother, husband and father. Victor, married to his wife Maureen for 33 years, he had two children he loved so much. Erin, 28, and Grant, 21 years old.

At this time I would like to introduce Victor's wife Maureen, his son Grant, and my family. Wanda is my wife, and my children, Kevin, Jason and Ashley. His daughter Erin would have liked to have been here today. She had to have emergency back surgery over this past Saturday.

Victor had a heart of gold and would do anything for anyone, especially the elderly. He was a kind and gentle man. Victor was an industrial engineer by trade and designed system buildings to control industry operations. He was also a master electrician and could almost do anything. Most of Victor's life was spent in Nederland, only recently moving to Houston after his children graduated from Nederland High School.

When work in our area slowed down, Victor traveled back and forth to Houston, 170-mile round trip, for about 3 years so his children could graduate from Nederland High School. His son Grant was a star football player and his daughter Erin was assistant softball coach at Nederland High School. Victor never had a pension plan and always had to pay his family's insurance with no input from the company he worked for. He never had more than 2 weeks off in a year. However, he longed to be able to retire and spend more time with his wife and children while he was still a relatively young man.

When the opportunity came up for Victor to go to work overseas, Victor weighed the pros and the cons. He was told that he could only work overseas until he was 60 years old. He knew that if he could do this job for 3 years he would be able to make enough money to retire and be with his family. He was assured that it was a safe place to work. He told his family and me that he would be safe. He said the plant was in the middle of the desert and no one would go there.

After speaking with my brother, I called the State Department's Washington number to see if they could provide me with more information about his situation. After explaining it to them that I just received a call from Victor, they said they would look into the matter and call me back. The State Department called me back later that morning to confirm that there was an attack on the plant. I continued to receive regular calls from both the State Department and the FBI after that. They kept us well informed of Victor's situation on a daily basis and were very respectful. In addition to that we were visited by agents from New York, Beaumont, and the New York City offices.

On January the 19th, the FBI came to a family member's house where we had gathered and told us that Victor had died on January 17th. On January 21st at 3 o'clock a.m., the State Department and the FBI called again asking if there was any identifying marks that could be used to identify Victor. I told them that Victor had a tattoo of a lightning bolt on his upper left arm. A half hour later they called me back and confirmed that they had positively identified his body.

About 2 months later, in March, we got more details of Victor's death. The FBI's Special Agent Jessica Ulmer informed us that Victor was killed as the hostages were being moved from one side of the compound to the other and the Algerian forces had launched a raid. I don't know if the Algerian forces took out the cars or the terrorists blew up the vehicles, but Victor's cause of death was listed as blast injuries. Agent Ulmer has kept in contact with me over the last few months regarding Victor's personal effects that we hope to recover. Jessica is a compassionate agent that works hard to complete a task such as this investigation, and truly understands the feeling of our family regarding our loss.

I personally want to thank Congressman Ted Poe and his staff for their care and diligence on having Victor's personal effects returned from Algeria. Congressman Poe never forgot our family and continues to seek justice for the people that lost their lives on that fateful day. Congressman Poe is a true patriot and he makes me proud to be from Texas. I also want to thank Congressman Randy

Weber for making sure our every need was met throughout this entire ordeal.

Finally, on behalf of the Lovelady, Buttaccio and Rowan families, I want to thank Congressman Poe, Congressman Weber, and all the House Committee on Foreign Affairs members for continuing to fight terrorism and keeping Americans safe and at home. Thank you for your time.

[The prepared statement of Mr. Lovelady follows:]

**U.S. House of Representatives
House Committee on Foreign Affairs
July 10, 2013**

Testimony of:
Michael L. Lovelady
2308 Franklin Avenue
Nederland, TX 77627

Regarding: Victor L. Lovelady

My name is Michael Lovelady. I was born in Port Arthur, Texas in November 1952. I am retired from the fire service with over 30 years of service. I spent the last 24 years of my career as Fire Chief for the City of Nederland, Texas Fire-Rescue Services. During my career I earned a Master Firefighter and Master Peace Officer certifications from the State of Texas. I hold a Bachelor of Science degree in "Administrative Sciences" from the University of Alabama and an Associate's degree in "Fire Protection Technology" from Lamar University.

On the morning of January 16, 2013, at approximately 3:30 AM, my home phone rang. As usual, a call at this time of the morning does not bring good news.

When my wife answered the phone, a strange voice asked, "Who's speaking?" When my wife refused to give her name, she heard Victor state "Wanda, I'm in trouble, I need Mike." When I answered the phone, Victor stated that "I am in trouble, we have been captured by al-Qaeda and we are tied up." Victor then asked me to tell his wife Maureen about his situation in person, because he did not want her to be alone when she got the news about him. Victor then said "you will know what to do." I advised him that I would notify his wife, and contact the FBI and U.S. State Department.

I attempted to ask him questions about his situation, but he stated that their captors were next to him and he could not answer any questions. We then told each other "bye." That was the last I ever heard from my brother.

Victor was only 57 years old and was my only sibling. Victor and I grew up in Nederland, Texas with wonderful parents that raised us with traditional and solid values that would help us throughout our lives. Our family was the type that did everything together such as going to the beach or the lake. As we grew up and went in different career paths, we did not get to see each other as much as I would have liked. However, we still talked on the phone a lot.

I always considered Victor the genius of the family. I admired his ingenuity and was in awe of his knowledge about electricity and electronics. Victor had two degrees from Lamar University in Beaumont, Texas. His Bachelor of Science was in "Industrial Engineering" and his Associate's Degree was in "Electricity and Electronics." Victor was a great brother, husband and father. Victor was married to his wife, Maureen, for 33 years. He had two children that he loved so much, Erin, 28 years old and Grant, 21 years old. At this time I'd like to introduce Victor's wife Maureen and his son Grant, my wife Wanda, and my children, Kevin, Jason, and Ashley. Victor's daughter Erin would have liked to have been here today as well but had to have emergency back surgery.

Victor had a heart of gold and would do anything for anyone, especially the elderly. He was a kind and gentle man. Victor was an Industrial Engineer by trade and designed system buildings to control industry operations. He was also a Master Electrician and could do most anything. Most of Victor's life was spent in Nederland, only recently moving to Houston after his children graduated from Nederland High School.

When work in our area slowed down, Victor traveled back and forth to Houston, a 170 mile roundtrip daily for about 3 years so his children could graduate from Nederland High School which was the same school he graduated from in 1973. His son, Grant was a star football player and his daughter, Erin was an assistant softball coach at Nederland High School.

Victor never had a pension plan and always had to pay all of his family's insurance with no input from the company he worked for. He never had more than two weeks off in a

year. However, he longed to be able to retire and spend more time with his wife and children while he was still a relatively young man. When the opportunity to go to work overseas arose, Victor weighed the pro and cons. He was told that he could only work overseas until he was 60 years old. He knew that if he could do this job for 3 years, he would be able to make enough money to retire and be with his family.

He was assured that it was a safe place to work. He told his family and me that he would be safe. He said his plant was in the middle of the desert where no one would go.

After speaking with my brother, I called the State Department's Washington number, to see if they could provide me with more information about his situation. After explaining to them that I had just received a call from Victor, they said they would look into the matter and call me back. The State Department called me back later that morning to confirm that there was an attack. I continued to receive regular calls from both the State Department and the FBI after that. They kept us well informed on Victor's situation on a daily basis and were very respectful. In addition to that, we were visited by agents from Houston, Beaumont, and the New York City offices.

On Saturday, January 19, the FBI came to a family member's house where we had all gathered and told us that Victor had died on January 17. On January 21, at 3:00 am, the State Department and FBI called again asking if there were any identifying marks that could be used to confirm that Victor had passed. I told them Victor had a tattoo of a lightning bolt on his upper left arm. Half an hour after that call we received another call confirming that they had positively identified his body.

About 2 months later in March we got more details of Victor's death. FBI Special Agent, Jessica Ulmer informed us that Victor was killed as the hostages were being moved from one side of the compound to another and Algerian forces launched a raid. I don't know if the Algerian forces took the cars out or if the terrorists blew their vehicles up, but Victor's cause of death was blast injuries. Agent Ulmer has kept in contact with me over the last few months regarding Victor's personnel effects that we hope to recover.

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Finally, on behalf of the Lovelady, Buttaccio, and Rowan families, I want to thank Congressman Poe, Congressman Weber and all of the House Committee on Foreign Affairs members for continuing to fight terrorism and keeping Americans safe at home and abroad.

Mr. POE. Thank you Mr. Lovelady.

And once again on behalf of both of the committees that are here, I want to extend our sympathy to you, Maureen, and the families of Victor.

I will now recognize myself for 5 minutes for questions and then we will proceed through each committee member. I am going to ask, start with the basics regarding both Benghazi and the attack in Algeria. Did we know before the attack in Benghazi, did we know before the attack in Algeria that it was going to occur? After the attacks are over with, do we know who committed the attack in Benghazi and Algeria? If we do know, where are those people that committed those attacks?

So those are three questions, and I will throw that out to all of the committee members. Mr. Byman, do you want to start first?

Mr. BYMAN. Thank you Mr. Chairman. I should stress that my knowledge of this comes from unclassified sources and I am sure that much of value is in the classified realm. My understanding, certainly, of the Benghazi attack was that it was widely known that it was a very dangerous threat environment before the attack. In terms of the specifics of the plot, to my knowledge, that was not anticipated by the U.S. Government from almost everything I have seen including the reported actions of Ambassador Stevens.

In Algeria, I believe it slightly differently. Algeria, including the energy sector, had historically been a relatively safe area. Now we need some real caveats when we say that because Algeria itself has had huge terrorism problems especially in the 1990s. Another thing to remark on is Algeria's role, albeit limited, in supporting the French effort in Mali.

Mr. POE. Excuse me, Dr. Byman. Can you cut to the chase? Did we know about the attack in Algeria before it occurred? I am talking about the United States. And the second question is, do we know who committed it, and if so, have those people been apprehended? That is the three questions regarding both places, since the time is limited.

Mr. BYMAN. I would say, in Algeria, sir, that we knew there was a dangerous threat environment but again did not anticipate the attack. Afterwards we know some of the individuals involved, to my knowledge, but I don't believe we know all of them. There is still some uncertainty. And to my knowledge they have not been apprehended.

Mr. POE. Mr. Zelin, do you want to weigh in on those three questions?

Mr. ZELIN. Sure. In both cases I am unsure that the U.S. Government was aware that they were going to occur at that specific time. In terms of who did what in Benghazi, there was a statement put out by Ansar al-Sharia in Libya within about 12 hours of the attack saying that they themselves did not order anything, but the way it was worded suggested that members of the group were involved. So it could have been some type of freelancing.

And then in terms of the In Amenas attack, Mokhtar Belmokhtar's group claimed responsibility for it and it is believed that some of the members in his group with him were a part of it. And currently it is believed that Mokhtar Belmokhtar is either in

northern Niger or in southern Libya, but this is unsure, and then the members of Ansar al-Sharia are still in Benghazi.

Mr. POE. So has anybody in either attack been apprehended, to your knowledge?

Mr. ZELIN. I am not aware of that. And in the case of Mokhtar Belmokhtar we have seen that he has conducted other operations in northern Niger a couple of months ago, or maybe a month ago.

Mr. POE. Mr. Gartenstein?

Mr. GARTENSTEIN-ROSS. So as to preserve your time, Mr. Chairman, I don't have anything to add to my colleagues. I agree with them.

Mr. POE. You made a comment, Dr. Byman, that kind of irritated me in that you said that the terrorists in North Africa look at the United States' policies since both of these actions, Algeria, and then first, Benghazi, as a retreat from the area, and that the United States, if I got your comments correctly, has cowardice regarding this issue. So that irritates me. Do you want to explain that word "cowardice" and what you mean by that?

Mr. BYMAN. Mr. Chairman, I apologize for irritating you.

Mr. POE. Oh, it is okay. It is not the first time.

Mr. BYMAN. It is the first time I have done it, I hope. Sir, in the past, Bin Laden would point specifically to the bombing of the Marine barracks in Lebanon and also to Somalia as proof that if you hit the United States hard it will leave a country. In Benghazi in particular, my fear is that if what happened in Benghazi leads to a drawdown of the broader U.S. diplomatic and intelligence presence in North Africa, that 5 years from now, 10 years from now we will be hearing Benghazi added to this list. And it is a way of encouraging his followers, sir, that he says that. Hit the United States and they run. I hope that is not so, sir.

Mr. POE. My last question to all of you, do any of you know whether it is true or not that regarding Algeria, the United States had forces in the general area before the attack and right after the attack?

Mr. GARTENSTEIN-ROSS. I have no knowledge of that sir.

Mr. POE. Mr. Zelin?

Mr. ZELIN. Neither do I.

Mr. POE. Dr. Byman?

Mr. BYMAN. Nor I, sir.

Mr. POE. And lastly, Mr. Lovelady, do you have any other thing that your brother told you that you haven't already told us, before he was killed in the plant in Algeria?

Mr. LOVELADY. No, sir, I don't. I just, pretty much I spoke with him very little, and the information I have got was from the FBI on how he died and what was happening when he died.

Mr. POE. And he told you he was already captured by what group or what—

Mr. LOVELADY. He told me he was captured by al-Qaeda.

Mr. POE. All right. Thank you very much. Five minutes for the ranking member. Mr. Sherman?

Mr. SHERMAN. Mr. Lovelady, thank you for your testimony, and I would like to thank your entire family for being here to put a human face on what we are talking about. There are those who blame America any time anything bad happens anywhere in the

world. That we are the world hegemon and that therefore anything bad that happens is a sign of American weakness or American error.

The fact of the matter is, with some crises we need to watch and not get involved, with some we need to influence and put only some of our prestige, money, and in some cases, troops, on the line. And only in a very few cases do we need to actually be sure to control the outcome and assume ownership of the crisis and make a full commitment. We should not retreat from all involvement in the world, nor should we try to take responsibility for the outcome of any crisis. The phrase "lead from behind" has been disparaged and as a turn of phrase it deserves to be disparaged, but as a concept, that is to say, be involved but not necessarily take the leadership role, it has to play a role in American foreign policy.

In Niger we helped France but France took the lead. Would we have had it any other way? Is there anyone in this room that wants American troops in Niger? And in Libya it was a combination of the United States, NATO and the rebels on the ground that overthrew Ghaddafi. We did not put our troops on the ground or try to control the outcome. We got an outcome that was far from perfect. Would we have preferred to see American troops dominate Libya? There is also the Pottery Barn rule put forward by Colin Powell that says if we do get involved we have to take ownership and we are responsible for rebuilding. I will point out that history proves that wrong.

In World War I we played a critical role in breaking the German, Austro-Hungarian, and Ottoman empires. No one in America dreamed that we had the responsibility to rebuild or that we owned that which had been broken. And while some of our more imperialist friends who were with us in World War I took advantage of opportunities, no one asserted that they had the obligation to rebuild every society that was destroyed. We have a right to defend ourselves without assuming the obligation to make sure that every country that harbors terrorists ends up as prosperous and as democratic as our World War II adversaries. And we have to be humble enough to realize that sometimes we will influence but not control.

Now I would like to turn our attention to Morocco, which is one area we haven't focused on yet. I am concerned that the AQIM, the al-Qaeda and Islamic Maghreb, has reportedly established ties with the Polisario militants in Algeria. Algeria provides material support and land for the Polisario, and some of the members seem to have been involved in the terrorist operations in northern Mali. I don't know which of our experts to ask, but what are the links between AQIM and the Polisario? What are we doing to disrupt those links, and what should we be doing to help allies like Morocco deal with AQIM-aided organizations?

Mr. ZELIN. Based off of what I know in the open source reporting, it appears that there is a lot of rumors related to potential connections but there is no hard evidence as of now, at least based off the open source reporting. And in terms of any connections at all, I would assume that our allies in Morocco would help out in arresting individuals as the Moroccans have in other cases where there have been different terrorist cells within Morocco that we have seen over the past 10 years.

Mr. SHERMAN. Well, the Polisario is being sheltered by Algeria. What should we do there?

Mr. ZELIN. I don't really focus on Algeria that much in terms of my research, so I don't know the nature of what the United States' relation is there, but I assume that the United States can speak with Algeria. But we also have to understand in this context that there is a rivalry between Morocco and Algeria and we can't necessarily influence it that much.

Mr. SHERMAN. I am going to try to sneak in one more question. Is Libya—we turned over tens of billions of dollars of Ghadafi's reserves to the Libyan Government. Is that money being used to establish security on the ground, is it being hoarded, or is it being stolen? Anybody have a one-word answer?

Mr. BYMAN. I would say primarily hoarded and stolen, but a portion of it is being used to try to develop some governance, but not enough, sir.

Mr. SHERMAN. I yield back.

Mr. POE. Thank the gentleman. Chair recognizes the chairman of the Middle East and North Africa Subcommittee, Ms. Ros-Lehtinen from Florida. Five minutes.

Ms. ROS-LEHTINEN. Thank you Judge Poe. The threat of radical Islamists as we all know is not a new phenomenon, and we know that the problem is not just localized in one country. It is spread across an entire region. Radical Islamic militants are opportunists. They seek out areas of weak governance to establish bases of operation, and from there they go out and wage war against anyone who doesn't comport to their interpretation of Islam.

And since the Arab Spring we have seen this opportunistic wave of Islamic militants move across the region from Libya to Tunisia to Algeria to Mali and beyond. And now we are seeing thousands of radical Islamists and al-Qaeda-linked terrorists flocking to Syria to join the fight there. If and when Assad falls and the Islamists manage to control Syria, what further implications would that have for the rest of the region, and what can the U.S. do to prevent an even further spread of this Islamist wave?

And when looking at the administration's policy when it comes to this region, it is difficult to define any clear or decisive agenda. In order to tackle this problem it is imperative that we support our African partners' efforts to disrupt the operations of terrorist networks, deny safe havens to extremist groups, prevent an escalation of emerging threats through greater mutual cooperation and constant vigilance.

So Dr. Byman, I would like to ask you, in your testimony you state that North Africa and the Sahel tend to be separate bureaucratically even though many of their problems are linked. How effective can programs like the Trans-Saharan Counterterrorism Partnership be in bolstering our partners in the region and fighting these threats, if funded and run properly, and what governments, whether it is local or national, can the United States work with in this region? Where have we seen any host nation buy in on these issues?

And Mr. Zelin, yesterday the British Defense Ministry announced that it would train up to 2,000 Libyan troops which is part of a broader package of defense and security assistance developed

with the U.S., with France, and Italy. In your testimony you state that the U.S. should work with regional and Western European allies. Will this help stabilize the deteriorating situation in Libya? Should the U.S. do more to help the Libyan Government?

Dr. Byman?

Mr. BYMAN. The regional versus state-focused issue is a very difficult one for any bureaucracy. Almost any approach you take is going to have problems one way or another. But when you do something cross-regional, having state-focused bureaucracies makes it far more difficult. Each Ambassador is going to have his or her own little fiefdom that is operated in a different way. You are going to have analysts not talk to one another. You are going to have programs that are implemented in different ways. And unfortunately, at times, the bad guys are more regional than we are.

Mr. ZELIN. I think that the steps that the U.K. is taking with training Libyan troops is a great idea. I think it should be done in addition to whatever else the United States is doing and our allies in Western Europe. But as I mentioned, I think we have to be careful also about the regionalism that we do see in Libya and the potential strife that could happen if you have individuals from different parts of the country trying to secure other parts. So that is something to think about as well.

Ms. ROS-LEHTINEN. Thank you.

Mr. Gartenstein-Ross?

Mr. GARTENSTEIN-ROSS. I will speak to the initial point that you made about Syria. I think that at the end of the day jihadists will not control Syria, but they will control enough territory and have enough influence that it is going to create a lot of problems within the region. I would specifically look at the interplay between Syria and the developing situation in both Egypt and also Iraq. In terms of what we can do, I think there are three things that we can do right now. One is I do support engagement with Syrian factions in order to both map the factions and also to gain influence with whomever ends up being the eventual winner.

But I think it is extremely important, and you already pointed to the dangers of arming Syrian factions, there has been some talk of sending them anti-tank weapons or anti-aircraft weaponry. I think especially given that groups like Jabhat al-Nusra, which are linked to al-Qaeda, have not been shunned by other Syrian factions and also that we can't control the flow of this weaponry, we absolutely should not undertake it in that it will be used against the United States or else our allies.

Ms. ROS-LEHTINEN. Thank you very much. Thank you Mr. Poe. And our deepest condolences to the entire Lovelady family. Thank you.

Mr. POE. The Chair recognizes the gentleman from Florida, the ranking member of the Middle East and Africa Subcommittee, Mr. Deutch.

Mr. DEUTCH. Thank you Mr. Chairman. I have some questions for the panel, but first, Mr. Lovelady, there are a lot of discussions that take place here that are, suffice it to say, dry, sometimes uninteresting to people who happen to pay attention to what we do. There are not enough opportunities for the members of this committee, and I would suggest not enough opportunities, I think, un-

fortunately too often for the American people to be reminded of why what we do here really matters so much. And your being here today with your wife Wanda and your kids, and Maureen, your being here with Grant really does remind us of that.

When your brother was killed in the middle, as you put it, in the middle of the desert in Algeria, this matters to us and this matters to this country. And the battle that we have against terror and our fight against terrorists in what for many is seen as some remote part of the world, is all the more important when we are reminded of the impact that this has on peoples' lives here in this country. So we do offer our condolences, but I also want to offer our profound thanks.

It is not, I am quite certain, it is not something that you ever thought that you would do to come to testify at the United States House of Representatives. It means a lot to us. I appreciate you being here. And to your family and Maureen and Grant, thank you very much for being here. I know that we have taken something significant from your presence here, and if you would pass our condolences to Erin, I hope her surgery went well also.

Now Dr. Byman, if you could speak to your assessment of al-Qaeda in the Maghreb and specifically chain of command issues, cooperation, how structured is it, or are we just talking about hundreds of offshoot extremist groups that are loosely affiliated with these principles?

Mr. BYMAN. It is an organization that is less structured than the other al-Qaeda affiliates. There are a few main branchings but a lot of divisions within, and then divisions within the divisions.

Mr. DEUTCH. And you focused on Nigeria in your testimony, Dr. Byman. How do we encourage Morocco and Algeria as North Africa's two most stable countries, to not only work together on greater intelligence, but how do we encourage them to take the lead on these issues?

Mr. BYMAN. The good news is Morocco is already a very close American partner on counterterrorism issues. Algeria is extremely tricky. There is a history of suspicion and it is really an intelligence-led regime in a very nasty way. This requires, to me, a much greater awareness on the U.S. part of the different players in Algeria. U.S. efforts to cultivate different parts of the regime especially as a transition is possible there. Regular pressure, and also high level pressure. But all that said, much of that will only get us so far and we may have to live with what is going to be a very uneasy relationship.

Mr. DEUTCH. And Mr. Zelin, should the United States be providing greater training on counterterrorism border control? The French had offered to send 100 military trainers to help the Libyans. Should the U.S. be more involved in that as well?

Mr. ZELIN. Yes, I think so. I think the U.S., France, the U.K. and some of our other allies who have been dealing with some of these issues over the past decade or so, have a lot of experience in how to deal with some of these problems in different countries. And the fact that especially the French, they have historic connections with North Africa and the Sahel region, so they have a good cultural understanding in a lot of the different players in the region too so

they can maybe help take a lead in this, but we can also augment it based off of our own expertise in these types of trainings.

Mr. DEUTCH. I appreciate it. And Mr. Chairman, before I yield back, Michael, I think I inadvertently confused your and Victor's names. Let me clarify that again we are moved by your presence here, and to you and the family thank you very much. And I yield back.

Mr. POE. Thank the gentleman from Florida. The Chair will recognize the gentleman from Texas, Mr. Weber, for 5 minutes.

Mr. WEBER. Thank you Mr. Chairman, I appreciate that. Loveladys, thank you all for being here. We appreciate you guys. Dr. Byman, I think it was you who said maybe Algeria had the best spy network. Was that you?

Mr. BYMAN. Yes, it was, sir.

Mr. WEBER. Could you elaborate on that?

Mr. BYMAN. The Algerian State has been an intelligence and military state for several decades now. And because they faced a massive civil war and Islamist uprising in the 1990s, they had to develop very good sources and networks simply to survive. And so since many of the groups they were fighting, or individuals, were regional, their networks became regional. And also I will say, in a very nasty way they were trained by the Soviets, and the Soviet approach in order to defeat the opposition you become the opposition. So they brought a lot of groups under the government's banner, directly or indirectly, and as a result were able to manipulate and control them, and gave them extensive intelligence and influence over the opposition but also implicated the government in several of the jihadists' worst attacks as well.

Mr. WEBER. So would you say that extends to al-Qaeda and the jihadists and forces outside of Algeria that they would have extensive knowledge about those groups?

Mr. BYMAN. Yes, I would.

Mr. WEBER. Is it safe to say then, in your opinion that perhaps they might have had information about this attack before it occurred on the BP plant in Algeria?

Mr. BYMAN. I believe the answer is no. The attack on the Algerian plant was quite bad for the Algerian Government in the sense of its most important resource and its reputation. So I think they would have tried to stop that had they known about it.

Mr. WEBER. So you have obviously been involved and you have been studying this group for a while, this country, so it is your opinion that had they known then they would have taken the necessary steps to stop it, or would they have notified us?

Mr. BYMAN. I believe they would have taken the necessary steps to stop it, and there is a good chance they would not have notified us because they prefer to keep many of these things secret.

Mr. WEBER. You don't think they would have enlisted our aid or notified BP? They would have just intervened militarily to stop the attack itself?

Mr. BYMAN. I think that they believe they could handle it themselves. They believe they have handled worst in the past and that they don't need superpower support.

Mr. WEBER. So they would have been willing to spill blood to protect American, well, foreign workers on their soil?

Mr. BYMAN. I think they would phrase it as, we are willing to spill blood to kill terrorists who are going after Algeria's natural resources. The presence of foreigners I don't think mattered terribly to them.

Mr. WEBER. Okay. Don't turn your mic off. I am not done with you. I think you also named the gentleman that may have instrumental in this, Ayman al-Zawahiri?

Mr. BYMAN. The al-Qaeda leader. Yes, sir.

Mr. WEBER. Okay. And we know where he is. We have seen him at different places, put it that way.

Mr. BYMAN. Sir, Ayman al-Zawahiri is the al-Qaeda leader in Pakistan who—

Mr. WEBER. Okay.

Mr. BYMAN. I don't think we know where he is.

Mr. WEBER. Okay. Is it your professional opinion, since you study this stuff and keep up with it, maybe we ought to assign one drone to him?

Mr. BYMAN. I think right now, sir, there are many drones with his name on it. I just don't think we can find him.

Mr. WEBER. Okay. Were you the one in earlier testimony that mentioned the use of drones, or was that—

Mr. BYMAN. That was me, sir.

Mr. WEBER. Okay. Do you think if the—so you are saying that you don't believe that the Algerian Government saw this coming. So in essence, does that sort of vindicate our own State Department in not only Algeria but in Benghazi that maybe they couldn't have seen it coming, or do you think the State Department should have seen the attack in Benghazi coming?

Mr. BYMAN. I would say that they should have known it was a much higher risk environment than what they prepared for. I think anticipating any specific attack is going to be exceptionally difficult, but I think that the risk environment was treated as lower than they should have treated it.

Mr. WEBER. Would you compare that to other areas that we have Embassies in, for example, Syria, or any of the other Middle Eastern states, where would you have put Benghazi on that list?

Mr. BYMAN. I would say, well, near the top in terms of danger, sir.

Mr. WEBER. So when there was a request for more security then that should have been heeded very seriously.

Mr. BYMAN. Absolutely.

Mr. WEBER. Okay. Is there a way, to your knowledge—and I agree with my colleague Mr. Poe when he says what has been done. Is there a way for us to track the movement of these terrorists short of just a satellite assigned to them?

Mr. BYMAN. Part of it depends on cultivating local sources. Part of it is identifying their communications methods. That is often the best way. And so what you want is a mix of methods. Often the local governments have the best information, and that may be the Government of Algeria, or in some cases it may be sub-state groups and you want to work with them as well.

Mr. WEBER. Okay, I am out of time. Thank you Mr. Chairman.

Mr. POE. Thank the gentleman. Just a point of clarification there, Dr. Byman. Is it Algeria's policy when it comes to terrorists just to go in with guns blazing? I mean is that really their policy?

Mr. BYMAN. They do a variety of things. They will try to arrest and disrupt in advance. They will try at times to co-opt people they can co-opt. They at times bribe them to go in different directions. And at times they have killed them in large numbers. So it is a mixer.

Mr. POE. Thank you. The Chair will recognize my good friend and chief irritant from Virginia, Mr. Connolly, for 5 minutes.

Mr. CONNOLLY. Thank you. Just a paid advertisement before my time gets started, Mr. Chairman. Ted Poe and I both believe it is time for transparency in the Supreme Court. We want cameras in the Supreme Court. So I thank the judge for his passion on that subject.

And Mr. Lovelady, let me add my voice of sympathy to you and your family for your loss. It is a terrible thing.

Dr. Byman, in listening to your answers to questions put to you, I assume one could conclude that this whole region of North Africa is maybe inherently unstable or certainly less secure than some other parts of the world one might want to visit.

Mr. BYMAN. I think that is a safe assumption, sir.

Mr. CONNOLLY. There are active insurgencies throughout the region?

Mr. BYMAN. Yes, sir.

Mr. CONNOLLY. There are armed militias throughout the region?

Mr. BYMAN. Yes, sir.

Mr. CONNOLLY. There are jihadists throughout the region?

Mr. BYMAN. Yes, sir.

Mr. CONNOLLY. There are al-Qaeda elements throughout the region?

Mr. BYMAN. I would say there are al-Qaeda sympathizers and like-minded groups throughout the region.

Mr. CONNOLLY. Right. And then there are just, what the heck, why not put on a bandolier and enjoy terrorism or insurgency or there could be local grievances that fuel local indigenous militias and insurgencies as well?

Mr. BYMAN. Yes, sir.

Mr. CONNOLLY. And then there are independence fighters like Polisario who have been fighting for a long time for what was formally Spanish Morocco, is that correct?

Mr. BYMAN. It is a long list, sir, yes. Yes, sir.

Mr. CONNOLLY. So given all of that and given limitations of our intelligence and intelligence sharing, you cited Algeria as an example, should the United States withdraw or retreat? Should we close Embassies and consulates throughout the region?

Mr. BYMAN. My view is a strong no.

Mr. CONNOLLY. Why?

Mr. BYMAN. The United States has interests in North Africa, and also as my colleagues have testified what is happening in North Africa is not staying in North Africa. So we have to deal with it one way or another. It is not something we can simply turn our back on.

Mr. CONNOLLY. So we knowingly want to stay engaged and we want to minimize risks and try to understand it but we can't eliminate it. Is that what you are saying?

Mr. BYMAN. Yes, sir.

Mr. CONNOLLY. And therefore sometimes we understand that diplomacy can be dangerous when you go into areas of instability or insecurity.

Mr. BYMAN. Many diplomats I know, sir, very much believe that part of their job is to take on such risks.

Mr. CONNOLLY. Mr. Gartenstein-Ross, I was intrigued by your fairly definitive answer about arming rebels in Syria, and I wanted to spend a little bit of time with you on that. Because the concern I have is, I don't know, do the good guys wear white hats and the bad guys wear black hats? We just go right in and say, you we will arm and you we won't? Is that how it works?

Mr. GARTENSTEIN-ROSS. Well, I think that as you said, it is not as though the bad guys are wearing black. It is difficult to distinguish between the factions. There is a lot of mobility between them. That is why providing arms that would be a great danger to the U.S. or our allies is such a very dangerous game.

Mr. CONNOLLY. Do you believe that the United States therefore should not be arming any of the insurgents, any of the rebels, in Syria?

Mr. GARTENSTEIN-ROSS. I am very skeptical of arming them in any way. But the administration has said that that is their intention. Thus I think that preventing arms that could be of most danger such as anti-tank weapons, anti-aircraft weapons is the thing that I would focus on. But yes, I am skeptical of the entire endeavor.

Mr. CONNOLLY. You made another point about that which is in an odd way arms are fungible. The fact that you give arms to somebody you have certified as a good guy does not mean he doesn't turn around and sell it, or the arms are stolen or just meander over time into the hands we would rather they not be. Is that correct?

Mr. GARTENSTEIN-ROSS. Absolutely. And also in many ways the good guys and bad guys there, to use kind of a colloquial way to refer to them, are in many ways brothers-in-arms. Look at when the U.S. designated Jabhat al-Nusra for its linkages to al-Qaeda. All of the factions in Syria were outraged that we did so. There was no faction that came in and said, oh, it is a great thing that they were designated. Instead the designation was extremely controversial across the board.

Mr. CONNOLLY. One of the concerns I have—and I would ask you and Mr. Byman to address this in what little time I have remaining. But that is, what worries me always about our plans, I mean what is Plan B? What happens next? So Ghadafi goes, Mubarak goes. Now what? And it is my view that we have actually limited leverage in shaping outcomes. And by the way I will just throw it in here. I was in Libya and Egypt last year, post-revolution both countries. I actually was more hopeful for Libya than I was for Egypt and I remain so. Your comment on that in the little time we have got left.

Mr. GARTENSTEIN-ROSS. Sir, I very much agree with where you are coming from, and would say in addition to that we should also

be thinking about what our strategic interests are. For me particularly when we went into Libya, it wasn't clear what strategic interest was being served. It served to hasten events in the region which we already did not have a good handle on in terms of the effect on Islamic militancy. And I think as a result, if you look at the intervention in Libya it actually made that particular problem set deeper. I don't think we put a lot of thought into that, and likewise in Syria given how confusing the situation is, I think there is a great deal of danger and a lot of great potential for second order consequences that we will regret.

Mr. BYMAN. I tend to have a slightly different view on this. I am pessimistic we can shape what is going to happen in Syria now through a program of arming the rebels, but I do believe that a long-term program that does involve arms, but especially training, will at least give us some local capacity should Assad fall or should Syria fall apart. And that is not much, sir. I don't want to say that is something we can take to the bank, but it is better than nothing. Syria, the instability there is going to emanate throughout the region and we are going to have to play a role and having some presence there will be helpful.

Mr. CONNOLLY. Mr. Chairman, I thank you for your indulgence, and what I take away from that is we have to stay engaged. There are some options but they are limited options, and we need to get used to the idea—well, sometimes our rhetoric up here you would think otherwise—we are neither omnipotent nor omniscient. Thank you.

Mr. POE. I thank the gentleman. Mr. Yoho from Florida for 5 minutes.

Mr. YOHO. Thank you Mr. Chairman. Gentlemen, I appreciate your testimony. Mr. Lovelady, thank you and your family for being here and sharing that compelling and moving story, and we sympathize with your loss, all of you. And also as Mr. Weber brought out, how it brings home the importance of what we do here, and I think you have heard that across the board here.

My questions go back to what we did in Libya, what have we learned on Libya? We did the flyovers. We got in, we got out. Weapons were left there by other forces, whether it was the U.N. or NATO, and we know those weapons wound up leaving Libya, going to Algeria, and now we have got the situation where we have got to face in Syria, I mean this is coming up, decisions are going to have to be made and we don't want to repeat mistakes of the past.

And I am hearing from Mr. Gartenstein-Ross, you were talking about we need to arm the people over there, but we have done that again and again, and the way I understand it there are over 1,000 different groups in Syria. Which one do you arm? And if we do that when do you pull out? When is there a line that you say, all right, we have done enough, we need to back out? I would just like to hear from all three of you what you think we should do in that situation so that we don't repeat the mistakes. And again going back to Libya, what have we learned there that we don't want to repeat?

Mr. GARTENSTEIN-ROSS. To be very clear, sir, I am not advocating arming the Syrian rebels. I am actually advocating the opposite.

Mr. YOHO. Okay. I misunderstood you then in your testimony.

Mr. GARTENSTEIN-ROSS. I think that doing so would be extremely dangerous.

Mr. YOHO. I am glad to hear that.

Mr. GARTENSTEIN-ROSS. And the point that I would make, the overarching point I would make is simply that the most dangerous thing would be giving them arms like anti-aircraft weapons and anti-tank weapons. Those are the kind of weapons that I think we would most regret sending to the rebel factions.

Mr. YOHO. Okay, I misunderstood you then. Because I thought you said that we should do that and I am thinking I don't want to do that again.

Mr. Zelin?

Mr. ZELIN. I think one of the important things that the United States needs to do is show a lot of leadership on Syria at this point. We are essentially ceding the ground to some of our allies in the Gulf, but the problem is, is our allies in the Gulf do not have the same interests as us in Syria. We have seen many private citizens in these Gulf nations who have been providing weapons and a lot of money to a bunch of different Salafist organizations within Syria as well as the jihadi groups.

And even when there was sort of this trial run in December when there were Croatian weapons that went into Syria via Jordan, even though they were supposedly going to the good guys they actually ended up in the hands of Jabhat al-Nusra within a month. So I am skeptical about providing arms, but I do think there are other options in terms of leadership with centralizing the opposition in Syria as well as also potentially using some type of no-fly zone activity as well. And then from there, because you have this centralized military capability in Syria that we have relations with, then potentially we could work with them after the Assad regime falls, if it does, to then deal with some of the other elements like——

Mr. YOHO. Let me interrupt you there. You are talking about a no-fly zone. I mean what gives us the authority to do that? I mean do we do that unilaterally? Do we go through the U.N., NATO? I mean constitutionally we are attacking a nation that has not attacked us.

Mr. ZELIN. Sure. I think we would try the U.N. but I think that Russia and China would block this. One other area could be through the Arab League since this is sort of their jurisdiction. And if they want that we could——

Mr. YOHO. How much effort has the Arab League come out in support of this or how much involvement do they have to help calm that strife over there?

Mr. ZELIN. Well, we have seen Arab states calling for help the past 2 years, even though they themselves probably don't want to themselves be involved in the no-fly zone they can potentially help fund it since they do have the money, in a similar way that happened in the Kuwait war.

Mr. YOHO. Let me ask you guys this. Does China have interest in that area where the attacks were, where Mr. Lovelady died, as far as petroleum?

Mr. ZELIN. China has, I would say, two interests, sir. One is it is becoming a major importer of petroleum, and of course the Middle East is a key area. The second is, it has tried to secure contracts in areas where it has—

Mr. YOHO. All right, so they have a presence there?

Mr. ZELIN. I don't know about that particular part of Algeria.

Mr. YOHO. Are they being attacked, have terrorist attacks against their interests?

Mr. ZELIN. They have had kidnappings and attacks in parts of Africa, but not what we would call terrorist attacks from al-Qaeda.

Mr. YOHO. Okay, why do you think that is?

Mr. ZELIN. The United States, sir, is opposed by al-Qaeda for a whole variety of reasons. Some of it includes our policies in the Middle East. Some of it is our values. Some of it is simply because we are the face of modernity. It is a mix.

Mr. YOHO. Do you think it has something to do that China just stands—I mean we heard you say something about the cowardice. When we show up we don't follow through and so they look at us as being weak, maybe, and China not. Do you think that has something to do with that?

Mr. ZELIN. I think it is more that China stands on the sidelines, sir, and—

Mr. YOHO. Okay.

Mr. ZELIN [continuing]. And that is main.

Mr. YOHO. Thank you. Mr. Chairman, thank you.

Mr. POE. The Chair recognizes the gentleman from Florida, Mr. DeSantis, 5 minutes.

Mr. DESANTIS. Thank you Mr. Chairman. Mr. Lovelady, thank you for coming. Sorry for your loss. I definitely believe that when Americans are killed people need to be brought to justice.

This could be for anyone who wants to weigh in. With respect to the Benghazi terrorist attack, why has there been in your judgment so much trouble bringing the perpetrators of that to justice?

Mr. ZELIN. I think part of it has to do with the weakness of the central government. They have had a hard time having a writ over a lot of the periphery, and actually the periphery has been able to blackmail the central government into doing a variety of things related to this isolation law that happened in their Parliament as well as sacking different ministers.

Mr. DESANTIS. And what about U.S. actions?

Mr. ZELIN. Sure.

Mr. DESANTIS. Why have our actions not borne any fruit thus far, given that four Americans were killed? It is not as if these were just Americans who just kind of happened to be traveling. I mean this was an Ambassador. This was U.S. territory in some ways, and yet here we are. I mean we are coming up, it is almost a year later and nothing.

Mr. ZELIN. I think part of it just has to do with the weakness of the central government and their inability to be able to really control what is going on in some parts of the country. And therefore, even if the United States would go in and go from Tripoli to Benghazi as has been noted by the FBI and we have seen in the media, that there is a potential that you might have elements then try and attack them. So I think you have that issue—

Mr. DESANTIS. No, I understand that. And it is interesting when we have the State Department folks in front of Oversight. The Libyan leadership said it was terrorism, initially, and they got really upset when we said it was because of a YouTube video. So I think our administration hurt the cause in that respect. The fact that we haven't brought anybody to justice, is that something that is going to likely deter future terrorist attacks? It seems to me that they figure that they have gotten away with it. It is likely to embolden more people to want to attack U.S. interests abroad. Does anyone disagree with that?

Mr. ZELIN. No, I fully agree.

Mr. DESANTIS. With respect to the Algerian attack, how did the overthrow of Ghadafi, the revolution in Libya, did it play any role in that? I know that there a lot of jihadists that were able to get weapons and operate more freely. So was there a linkage, in your judgment, to those Islamic fighters and the attack that happened?

Mr. GARTENSTEIN-ROSS. Absolutely. One linkage is through arms. The other linkage is that Libya was used as a staging ground for the Algeria attack.

Mr. DESANTIS. Do all the witnesses concur with that?

Mr. ZELIN. I also think part of it had to do with the French intervention of northern Mali as well, since a lot of the individuals melted away, as Dr. Byman mentioned, and went into northern Niger as well as southern Libya, so then they were able to use that as another different type of base for this attack. And one could argue that the attack on the In Amenas base was in retaliation to the French intervention in northern Mali.

Mr. DESANTIS. With Afghanistan there was this concern, I mean it is still there, but al-Qaeda used that as a training, training fighters as a base of operations. And if you look across northern Africa, I mean it just seems to me that you could easily have parts of northern Africa end up with al-Qaeda type fighters, Islamic fighters using that. Is that something that we should be concerned about?

Mr. BYMAN. In my view, absolutely. It is harder than the past because of the drone program because of greater U.S. attention, but when you have these ungoverned areas, these become extremely dangerous if they are exploited by al-Qaeda.

Mr. GARTENSTEIN-ROSS. And I would add that another area of concern is not just training but also places where people can actually engage in live action fighting. Syria is one example. Mali has been one example. And let us watch the situation in Egypt. That could end up a very chaotic situation. I don't think that jihadists will be at the forefront of any sort of confrontation, but they certainly could end up one of the major beneficiaries.

Mr. DESANTIS. And with Syria, this has been going on for a long time. As this has dragged on longer and longer that is actually, you have seen more and more of the foreign fighters go. So to the extent to which this turmoil in Egypt lasts longer and you have fighting, it seems to me that that would be a magnet for a lot of these fighters in northern Africa. So it is a very, very dicey situation.

Mr. GARTENSTEIN-ROSS. I agree that it is. Like I said, I don't think that jihadists will be at the forefront in Egypt. They simply don't have the incentive to do so. If you have clashes between

Brotherhood supporters and supporters of the military, that is a great chaotic situation where they can quietly build up their capabilities without being at the forefront of violence on the streets.

Mr. DESANTIS. Well, I thank the witnesses. Thank you, Mr. Lovelady, for your appearance, and I yield back to the chairman.

Mr. POE. Thank the gentleman. The Chair will recognize the gentleman from California, Mr. Rohrabacher, for 5 minutes.

Mr. ROHRABACHER. Thank you very much.

Mr. Chairman, I would like to submit for the record a blog article by Walid Shoebat who claims to be a former member of the Muslim Brotherhood and has some intelligence information that I think would be very valuable to this hearing.

Mr. POE. Without objection, be made part of this hearing's record.

Mr. ROHRABACHER. Thank you very much.

I would like to ask the witnesses, do you know, is there any evidence of the Egyptian Muslim Brotherhood's involvement in the attack that resulted in the death of our Ambassador in Benghazi?

Mr. GARTENSTEIN-ROSS. No, sir. I know of absolutely no information suggesting that.

Mr. ROHRABACHER. Okay. Anybody?

Mr. ZELIN. No.

Mr. BYMAN. Not that I have seen, sir.

Mr. ROHRABACHER. Okay, so do you folks, or are you aware of a terrorist organization called Ansar al-Sharia?

Mr. GARTENSTEIN-ROSS. Yes, sir. There are multiple branches in multiple countries.

Mr. ROHRABACHER. Okay. And so this is a known terrorist organization. Is it Sharia? I am sorry, al-Sharia, is that how you pronounce it? So this is a known terrorist organization?

Mr. GARTENSTEIN-ROSS. Sir, it is a known jihadist organization in a number of countries. They are not actually engaged in terrorism on the ground, but they make clear that they are aligned with Salafist jihad ideals such as the ideals of al-Qaeda. This is something that is very clear from the social media that the group puts out in countries like Tunisia and Libya.

Mr. ROHRABACHER. Okay. Were any of the members of that cell to your knowledge arrested for the attack that took our Ambassador's life in Benghazi?

Mr. ZELIN. I believe there have been one or two individuals who have been detained in Tunisia as well as in Libya, but both have then been released based off of lack of information.

Mr. ROHRABACHER. Mr. Shoebat reports that six members of Ansar al-Sharia were arrested in Libya, and presents a document that indicates that they were involved and that they are Egyptians of course and not Libyans. Have any of you heard anything about that at all?

Mr. BYMAN. I have seen some press reports about Egyptians involved in the attack, sir, but as far as their affiliation I do not know.

Mr. ROHRABACHER. Okay. So Mr. Shoebat who claims to have been a member of the Muslim Brotherhood and may well have been a member of the Muslim Brotherhood, I just haven't verified it yet,

suggests that this terrorist organization has direct ties to the Muslim Brotherhood in Egypt. Is that something you know about?

Mr. GARTENSTEIN-ROSS. Sir, I wouldn't infer that just from the national origin of individuals involved. We know for a fact that there is a large stream of Egyptian extremists who have gone into Libya. There are camps, for example, one set of camps is known as the Jamal Network. And the individual who runs them is himself Egyptian. That also is a camp that has been connected directly to al-Qaeda.

Mr. ROHRABACHER. Well, in terms of this position, this is that it was not al-Qaeda but this Ansar al-Sharia terrorist cell that was involved in the attack, and that they were Egyptian and that they are—in fact, part of his report which I read and looked at the other night is a news clip that is taken from a camera that one of the terrorists, or people who were involved in the terrorist attack, or at least that is what they say. You could see armed people going back and forth, shooting going on, and some of the terrorists suggesting that they had been sent by Morsi, meaning the President of Egypt. Is the President of Egypt, he has a long close ties with the Muslim Brotherhood, does he not?

Mr. ZELIN. Yes, Mohamed Morsi was the President of Egypt before he was dispatched the other week, though I find these claims not that credible. There is no evidence to suggest based off of anything I have seen that the Muslim Brotherhood is linked to Ansar al-Sharia in Libya or that any members of the Muslim Brotherhood were involved or that Mohamed Morsi told members of the Brotherhood to go to Libya to conduct an—

Mr. ROHRABACHER. Okay, so you don't know of any evidence that suggests that.

Mr. ZELIN. No, sir.

Mr. ROHRABACHER. Okay. And I would appreciate it if you guys would read this report and give me your personal analysis of it. Did President Morsi ever, during recent years, talk about the return of the Blind Sheikh—is that how you pronounce it?—the Blind Sheikh that we have here in custody in the United States?

Mr. GARTENSTEIN-ROSS. Yes, sir. That was one of the demands that he made to the U.S.

Mr. ROHRABACHER. But he was, President Morsi himself has made statements that this is important to him, I would say, and that it is a priority.

Mr. GARTENSTEIN-ROSS. Yes, sir. It is something that he asked the U.S. to do. In Egypt this is a rather big political issue which he was clearly tapping into.

Mr. ROHRABACHER. Or leading. Or leading. Sometimes it is hard to tell whether a political leader is tapping into something in the population or if someone is creating it.

Mr. Chairman, I thank you very much for this hearing, and I think that the information that we were just discussing may well deserve a lot closer attention. And I would like the opinion of your witnesses today on this report. And if indeed Mr. Shoebat has the documentation which he seems to be presenting here, unless this is—by the way what I made part of the hearing is a document that suggests it is from Libya, about the six prisoners who are Egyptian admitting that they were part of this terrorist unit and that it was

connected with the Muslim Brotherhood, unless that is a forged document. I think we should pay close attention and get to the bottom of this.

Thank you very much, Mr. Chairman, for holding this hearing today and perhaps opening up an area or directing our attention to something that could help explain what the hell happened in Benghazi. Thank you, Mr. Chairman.

Mr. POE. Ask the witnesses to respond in writing to the request by Mr. Rohrabacher from California.

And one last question, Mr. Gartenstein-Ross. You alluded to the fact the United States may have a policy regarding the people who committed the Benghazi attack. What is the policy of the U.S. for the future? To take those people out or to capture those people and bring them back? What is the policy, if you know what it is?

Mr. GARTENSTEIN-ROSS. Sir, I don't know what our policy is with respect to the perpetrators.

Mr. POE. All right. And the Chair, without objection, will enter into the record an article out today in Vanity Fair regarding the timeline on the 40 minutes in Benghazi.

All members have 5 days to submit statements with questions and extraneous materials for the record subject to the length limitation of the rules. I thank all the witnesses for being here, the Lovelady family especially for being here today. This subcommittee meeting is over. Thank you very much.

[Whereupon, at 11:52 a.m., the subcommittee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

**JOINT SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on Terrorism, Nonproliferation, and Trade
Ted Poe (R-TX), Chairman**

**Subcommittee on the Middle East and North Africa
Ileana Ros-Lehtinen (R-FL), Chairman**

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held jointly by the Subcommittee on Terrorism, Nonproliferation, and Trade and the Subcommittee on the Middle East and North Africa in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at www.foreignaffairs.house.gov):

DATE: Wednesday, July 10, 2013

TIME: 10:00 a.m.

SUBJECT: The Terrorist Threat in North Africa: Before and After Benghazi

WITNESSES: Mr. Daveed Gartenstein-Ross
Director
Center for the Study of Terrorist Radicalization
Foundation for Defense of Democracies

Mr. Aaron Zelin
Richard Borow Fellow
The Washington Institute for Near East Policy

Daniel L. Byman, Ph.D.
Professor
Security Studies Program
Georgetown University

Mr. Mike Lovelady
Brother of Algerian gas plant terrorist attack victim, Victor Lovelady

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Terrorism, Nonproliferation, and Trade and Middle East and North Africa HEARING

Day Wednesday Date 07/10/13 Room 2172

Starting Time 10:05 a.m. Ending Time 11:50 a.m.

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Poe and Chairwoman Ros-Lehtinen

Check all of the following that apply:

- Open Session
- Executive (closed) Session
- Televised
- Electronically Recorded (taped)
- Stenographic Record

TITLE OF HEARING:

The Terrorist Threat in North Africa: Before and After Benghazi

SUBCOMMITTEE MEMBERS PRESENT:

Reps. Poe, Ros-Lehtinen, Chabot, Cotton, Weber, Desautis, Collins, Yoho, Deutch, Connolly, Schneider, Frankel, Cook, Perry, Sherman, Lowenthal

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

Rep. Rohrabacher

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

SFR- Connolly

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 11:50 a.m.


Subcommittee Staff Director

The Honorable Gerald E. Connolly (VA-11)
TNT/MENA Joint Subcommittee Hearing: Benghazi
Wednesday, July 10, 2013
10am

Today's hearing is the sixth time House Republicans have convened a congressional committee to "examine" the attack on the American consulate in Benghazi; if one includes all the briefings on this issue, it is the ninth such meeting on the House side alone. The latest development is the publication of a partisan *Interim Progress Report* by five House Republican Chairmen. The systematic exclusion of the minority membership in the report is unprecedented. At the other full Committee on which I serve, Ranking Member Cummings expressed discontent in a letter to Speaker Boehner at the "decision to abandon regular order and exclude Democratic Members from the process."¹

The report attempts to fault then-Secretary of State Hillary Clinton for the Benghazi terrorist attack because a State Department cable to Tripoli regarding additional security included Secretary Clinton's signature. Glenn Kessler, author of the Fact Checker blog on *The Washington Post*, called the signature allegation a whopper and awarded it "Four Pinocchios." The Fact Checker went on to say that one House Chairman's claim that "Clinton's 'signature' means she personally approved" the cable is "absurd," as every single cable from the State Department includes the Secretary's signature, regardless of content or gravity.²

The reaction to the Benghazi attack differs from the reaction to past attacks on our people and soil. For example, I recall the sorrowful events of October 1983, when a truck filled with 2,500 pounds of TNT slammed into the United States Marine Corps barracks in Beirut, killing 241 U.S. servicemembers. I was a staffer on the Senate Foreign Relations Committee at the time and had just visited the barracks in Beirut, and I recall President Reagan and his Cabinet responding to substantive questions about the security of our foreign service personnel rather than to partisan attacks that should stop at the water's edge.

The Pickering-Mullen Accountability Review Board (ARB) report clearly states, "Responsibility for the tragic loss of life, injuries, and damage to U.S. facilities and property rests solely and completely with the terrorists who perpetrated the attacks."³ The report also paints a clearer picture of the context of post-Revolution Libya and the enemy that our people are facing in the region—a "growing, diffuse range of terrorist and hostile actors" who "[pose] an additional challenge to American security officers, diplomats, development professionals and decision-makers seeking to mitigate risk and remain active in high threat environments without resorting to an unacceptable total fortress and stay-at-home approach to U.S. diplomacy."⁴ Such an enemy would be challenging to face under normal circumstances, and a post-Revolution environment exacerbates the situation. In Libya, the day-to-day situation was characterized by the "security vacuum left by Qaddafi's departure"⁵ and a "general

¹ Hon. Elijah Cummings, "Letter to Hon. John Boehner," 25 April 2013.

² Glenn Kessler, "Issa's absurd claim that Clinton's 'signature' means she personally approved it," *The Washington Post Fact Checker blog*, 26 April 2013.

³ *Ibid.*, 4.

⁴ *Ibid.*, 2.

⁵ *Ibid.*, 15.

The Honorable Gerald E. Connolly (VA-11)

backdrop of political violence, assassinations...., lawlessness, and an overarching absence of central government authority in eastern Libya.”⁶

With the benefit of hindsight, the ARB report pinpoints management and system failures that resulted in inadequate security on the ground in Benghazi, but it also details growing challenges State has faced “to obtain the resources necessary to carry out its work.”⁷ Based on this finding, it is clear the availability of resources was, and continues to be, a major issue for our missions abroad, but you wouldn’t know that based on the Republican rhetoric surrounding this subject.

Ambassador Pickering and Admiral Mullen were brutally honest about the sacrifice that our personnel knowingly face when serving overseas in hostile environments:

“No diplomatic presence is without risk.. And the total elimination of risk is a non-starter for U.S. diplomacy, given the need for the U.S. government to be present in places where stability and security are often most profoundly lacking and host government support is sometimes minimal to non-existent.”⁸

Let’s not lose sight of the fact that America’s foreign aid and diplomatic posts are not just nice things to do. They are important and sometimes dangerous jobs and critical components of our national security policy. These public servants put themselves on the line every single day to advance America’s economic and humanitarian interests across the globe, and we must ensure they have the tools and security necessary to achieve this mission.

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⁶ Ibid., 16.

⁷ Ibid., 3.

⁸ Ibid., 2.

RESPONSE TO THE QUESTION FOR THE RECORD OF THE HONORABLE SCOTT PERRY**SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, U.S. HOUSE OF REPRESENTATIVES**

“THE TERRORIST THREAT IN NORTH AFRICA: BEFORE AND AFTER BENGHAZI”

July 10, 2013

The following question was directed to Dr. Daniel L. Byman, Professor in the Security Studies Program at Georgetown University and Senior Fellow and Director of Research at the Saban Center for Middle East Policy, Brookings Institution:

1. Given post-colonial cultural sensitivities in Algeria with an emphasis on national sovereignty and non-intervention, do you believe it is possible to develop a coherent transnational counterterrorism policy in cooperation with a nation that clearly has misgivings in contributing to a transnational solution?

Dr. Byman’s response is:

Algeria’s historical sensitivities are quite real and often confusing. On the one hand its elite retains an admiration for countries like France and for Western culture in general. On the other hand, there is often bitterness over the colonial legacy and a defensiveness that makes good relations hard. The anti-colonial sentiment has faded over time, but there remain broader suspicions of the West, including the United States. The biggest problem is Algeria’s secretive and dictatorial regime, which is at times hostile to its neighbors and has shadowy policies toward terrorist groups.

Any cooperation – bilateral or regional – must grapple with this historical legacy and the troubled nature of the Algerian regime. We cannot hope for perfection or even close to it, but we may be able to avoid the worst problems and facilitate transnational cooperation on some of the most pressing issues, particularly if there is a shared threat.



QUESTION FOR THE RECORD OF THE HONORABLE DANA ROHRABACHER

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, U.S. HOUSE OF REPRESENTATIVES

“THE TERRORIST THREAT IN NORTH AFRICA: BEFORE AND AFTER BENGHAZI”

July 10, 2013

The following question was directed to Mr. Daveed Gartenstein-Ross, Director of the Center for the Study of Terrorist Radicalization at the Foundation for Defense of Democracies:

1. I would appreciate it if you guys would read this report and give me your personal analysis of it.

The following written submission is from Mr. Daveed Gartenstein-Ross, Director of the Center for the Study of Terrorist Radicalization at the Foundation for Defense of Democracies:

I have carefully reviewed the report written by Walid Shoebat and two co-authors claiming that both Mohamed Morsi and Egypt’s Muslim Brotherhood were directly involved in the September 11, 2012, attack on the U.S. consulate in Benghazi.¹ It fails to persuade me of Egyptian involvement, especially when one considers the context in which one of the major pieces of evidence (a Libyan intelligence document) was drafted, and the wide array of evidence regarding the incident that has certainly been generated, but is not publicly available to allow us to critically evaluate that document’s conclusions. I am particularly suspicious of the conclusions that Shoebat’s report presents because much of the relevant evidence aligns with pre-existing theories about Egyptian involvement in the Benghazi attack that we should not readily discard.

Information previously known about Egyptian involvement at Benghazi

Egyptian involvement in the Benghazi attack had been reported within three weeks of the tragic incident, notably in the *Wall Street Journal*.² The *Journal* detailed the role played by fighters connected to an Egyptian militant named Muhammad Jamal Abu Ahmad, who has established his own enclave in Libya. Jamal was a part of Egyptian Islamic Jihad at the time al-Qaeda emir Ayman al-Zawahiri commanded that group, and may even have been its chief of operations. Today, the “Jamal network” operates camps in Libya that provide training for suicide missions

¹ The report in question is Walid Shoebat, Ben Barrack & Keith Davics, “Ironclad: Egypt Involved in Benghazi Attacks,” *Shoebat.com*, June 30, 2013, available at <http://shoebat.com/2013/06/30/benghazi-turning-a-blind-eye-for-the-blind-sheikh/>.

² Siobhan Gorman & Matt Bradley, “Militant Link to Libya Attack,” *Wall Street Journal*, Oct. 1, 2012.

and other militant activities, and—unsurprisingly, given Jamal’s national origin and background—the network has especially close ties to Egyptian militancy.

Two of these connections are Muhammad al-Zawahiri, the brother of al-Qaeda’s emir, who had been imprisoned with Jamal; and Marjan Salim, a militant who also was released from prison following Mubarak’s fall, and served as the head of Egyptian Islamic Jihad’s *sharia* committee when Ayman al-Zawahiri led the group.³ Further, Egyptians are known to train in the Jamal network’s camps; and the *Wall Street Journal* reported that “U.S. officials working with Libyans to investigate the consulate assault in Benghazi have identified some of the attackers and believe some are associates of [Jamal].”

Thus, Egyptian involvement in the Benghazi attack had been known long before Shoebat’s report, through the incident’s connection to the Jamal network. Further, the likely involvement of Egyptian operatives was reported less than two months after it occurred. CNN noted on October 24 that some of the attackers “are suspected of having ties to the Libyan group Ansar al-Sharia, and many of them are believed to be Egyptian jihadis.”⁴ Other prominent media outlets have subsequently reported the presence of Egyptian fighters in the Benghazi attack.⁵

So the claim in Shoebat’s report of Egyptian involvement in the Benghazi attack is not new. What is new is his contention that the attack was executed (in whole or part) by the Egyptian Muslim Brotherhood, and that Morsi himself had dispatched the attackers. This claim—improbable on its face because of how little strategic sense it would make for the actors involved—relies, essentially, on two pieces of evidence: a cell phone video allegedly taken at the scene of the Benghazi attack and a Libyan intelligence document detailing what six accused perpetrators said during their interrogation. Neither of these data points establishes that either Morsi or the Muslim Brotherhood had a role in Benghazi in the conclusive manner that Shoebat claims.

The cell phone video

Shoebat explains his first piece of evidence: “**EXHIBIT A** is a video shot from a cell phone at the scene of the attacks. In this video, gunmen are seen running toward the camera, toward other gunmen. At one point—in Arabic which we have confirmed—one approaching gunman says, ‘Don’t Shoot us! We were sent by Mursi!’. Even though the video is in Arabic, you can discern the word ‘Mursi’.”

³ Muhammad Salah, “Jihad’s Organizational Structure,” *Al-Hayah*, Feb. 12, 1999, p. 6.

⁴ Suzanne Kelly, Pam Benson & Elisa Labott, “U.S. Intel Believes Some Benghazi Attackers Tied to Al-Qaeda in Iraq,” *CNN*, Oct. 24, 2012.

⁵ See Adam Nossiter, “Some Algeria Attackers Are Placed at Benghazi,” *New York Times*, Jan. 22, 2013; Catherine Herridge, “Benghazi Attack Suspect List Expands to Include Egyptians,” *Fox News*, Nov. 8, 2012.

Assuming the video is authentic, there are two problems with Shoebat's analysis of it. First, the translation is questionable. Though the audio quality is poor, the individual speaking appears to be saying: "I said nobody run, Dr. Morsi sent a car. It just arrived." The Arabic is:

سيارة دكتور مرسي بعثها تو واصلة

sayara doktor mursi ba-at-ha taw waslah

Now, as mentioned, the audio is difficult to understand; but one can clearly discern the word *sayara* (car) before the phrase *doktor mursi*. Shoebat failed to note the mention of a car in his translation; and the fact that a car is the object of the sentence significantly changes the meaning of the statement.

Second, it is not clear that the "Dr. Morsi" referred to in the cell phone video is in fact Mohamed Morsi. Because Morsi is a common surname in Egypt, this could be (and the odds are that it *is*) a reference to somebody else.

The Libyan intelligence document

The Libyan intelligence document is more interesting than the cell phone video, and appears at first blush to do far more to advance Shoebat's case. I believe that it (unlike the cell phone video) is translated accurately; and in itself the document provides reason that one would desire further information to better understand the allegations within it. However, the intelligence document falls far short of being conclusive proof, especially when one considers how it was produced, the other reams of data that Libyan intelligence generated in the wake of the Benghazi attack, and the fact that the U.S. intelligence community almost certainly has had the document in its possession since it was produced. Shoebat explains this document:

A Libyan Intelligence document (**EXHIBIT B**) has now been brought forward by credible Arabic translator Raymond Ibrahim. This document discusses the confessions of six members of an Egyptian Ansar al-Sharia cell who were arrested and found to be involved in the Benghazi attacks. Ibrahim reported the following about this document:

It discusses the preliminary findings of the investigation, specifically concerning an "Egyptian cell" which was involved in the consulate attack. "Based on confessions derived from some of those arrested at the scene" six people, "**all of them Egyptians**" from the **jihād group Ansar al-Sharia** ("Supporters of Islamic Law), were arrested.

According to the report, during interrogations, these Egyptian jihadi cell members “confessed to very serious and important information concerning the financial sources of the group and the planners of the event and the storming and burning of the U.S. consulate in Benghazi.... And **among the more prominent figures whose names were mentioned by cell members during confessions were: Egyptian President Mohamed Morsi...**

I should note at the outset that the authenticity of this particular leaked report is not firmly established. It is possible, for example, that the document Shoebat relies upon represents a draft rather than a finished version of the preliminary report; but there is no specific reason to believe that this document is fraudulent.

Ibhim’s translation correctly notes that the Libyan document provides only preliminary findings of an investigation. It represents a set of conclusions drawn from the initial interrogations of alleged attackers. The interrogation transcripts themselves are not publicly available. What did the suspects *actually say* during the interrogation? What were their *specific allegations* concerning Morsi? A small error can easily be magnified if we cannot see the actual words spoken during the interrogations. For example, what if Morsi and other Egyptian Muslim Brotherhood leaders were mentioned as some sort of “gateway drug” to salafi jihadist militancy, but those statements became transmogrified during the process of drafting the document into “the financial sources of the group and the planners of the event”? Or what if these attackers were salafi jihadists traveling under Ikhwan cover? We are relying on a summary, and without access to the original interrogation transcripts, we can neither rule out a variance between the primary source and secondary conclusion, nor the possibility that the conclusions in the report do represent statements made during the interrogation, but the statements themselves are unreliable. This latter possibility is bolstered by the possibility that the interrogators used torture, a technique that—to put it delicately—can bias the subjects toward accepting the interrogators’ conclusions.

The possibility that Libyan analysts may have misinterpreted the interrogation evidence is bolstered by the fact that the Libyan intelligence services are extremely disorganized. Libya’s civil war was long and bloody: not only were the old institutions of the state significantly degraded, but also the intelligence services had to be specifically rebuilt (former members would be distrusted in this new environment, given the arbitrariness and brutality of Qaddafi’s services). Many of the people now in intelligence positions previously served the same role in militias. Some of them are quite good at their jobs, but others are not. Since the intelligence services are being rebuilt out of necessity, Libyan intelligence does not display the kind of professionalization that might give us confidence in the accuracy of the preliminary intelligence report.

A second problem with relying on this document as conclusive is that other kinds of evidence would also be generated at the same time. What kind of external evidence could be gleaned from the alleged attackers' possessions? What kind of contacts were on their cell phones? Did their personal networks match those of Egyptian Muslim Brotherhood members, or members of another network (such as the Jamal network)? Further, it is standard practice for suspects to be re-interrogated, which would generate follow-up reports. We lack access to those.

But this points to a third problem with Shoebat's argument: some Americans almost certainly *do* have access to the other kinds of evidence generated around the time these Egyptians were captured. The Americans who have access to this evidence are members of the U.S. intelligence community, with whom Libya has shared information generated during the course of its investigation of Benghazi. Thus, the odds are that either the U.S. intelligence community is engaged in a massive cover-up designed to protect Morsi and the Egyptian Brotherhood, or else the other data points that we are unable to access undercut the conclusion Shoebat is drawing from this document.

Conclusion

In my view, Shoebat's report does not significantly move the dial on this issue. The cell phone video is not particularly probative; the Libyan intelligence document is interesting, but extreme caution is in order before concluding that it actually *answers* our questions about who bears the ultimate responsibility for the Benghazi attack.

One lesson of the past dozen years, and the Iraq war in particular, is that it is dangerous to over-interpret a limited set of data points. Indeed, on June 27, Shoebat urged the U.S. Congress to declare war on Egypt on the basis of the two data points I have analyzed.⁶ Had politicians heeded Shoebat's advice, it would have easily been the gravest mistake the U.S. has made in the past dozen years. Unfortunately, Shoebat displays a recurring tendency to over-interpret data in reaching his conclusions. On July 10, the day of this hearing, Shoebat penned a blog entry that opened with the statement: "If you're a Democrat, you belong to the Party of Satan."⁷ Yet the data points he deploys fall short of demonstrating that the Democrats are in fact "Luciferians."

In conclusion, many negative things can be said about the Egyptian Brotherhood and Morsi, and the Brotherhood's actions in September 2012 can be singled out for particular condemnation. But that does not mean that the Brotherhood was involved in the Benghazi attack. The alternative hypothesis, that the Egyptians involved in the Benghazi attack were connected to the Jamal network, still appears to be the most plausible explanation.

⁶ "Should Congress Declare War on Egypt?" *Shoebat.com*, June 27, 2013, available at <http://shoebat.com/2013/06/27/should-congress-declare-war-on-egypt/>.

⁷ "Democrats Belong to Party of Satan," *Shoebat.com*, July 10, 2013, available at <http://shoebat.com/2013/07/10/democrats-belong-to-party-of-satan/>.

QUESTION FOR THE RECORD OF THE HONORABLE DANA ROHRABACHER

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE, U.S. HOUSE OF REPRESENTATIVES

“THE TERRORIST THREAT IN NORTH AFRICA: BEFORE AND AFTER BENGHAZI”

July 10, 2013

The following question was directed to Mr. Aaron Zelin, Richard Borow Fellow at the Washington Institute for Near East Policy:

1. I would appreciate it if you guys would read this report and give me your personal analysis of it.

The following written submission is from Mr. Aaron Zelin, Richard Borow Fellow at the Washington Institute for Near East Policy:

I am unconvinced by this report for a couple reasons: 1. credibility of it and 2. the logic of it. Regarding the credibility factor, the Libyan intelligence document was leaked to a Kuwaiti newspaper. Kuwaiti newspapers are notorious for being unreliable. Further to that, how can the document even be verified as legitimate and not a fake. As for the video, it was aired by al-Karma TV, which is a Coptic Christian satellite channel. They clearly have political reasons for wanting to put forward a narrative that Morsi and the Ikhwan were involved in the Benghazi attack since it fits into their worldview that the Ikhwan are terrorists. Additionally, there are basic translation mistakes the report claims that speakers on the video state, "Dr. Morsi sent us," but in fact it says "...a car Dr. Morsi sent." Further, the individuals speaking in the video are speaking in the Libyan dialect not in the Egyptian dialect. In terms of the logic of it, as I noted in my testimony, there is no evidence that there are any links whatsoever between Ansar al-Sharia in Libya and the Ikhwan. Historically, the Ikhwan and jihadis are rivals with one another and do not like each other. I suggest reading Marc Lynch's "Islam Divided Between Salafi Jihad and the Ikhwan" (http://www.marclynch.com/wp-content/uploads/2011/03/SCT_Lynch_MBvsSJ.pdf). Additionally, I would also suggest reading the leader of al-Qaeda's take on the Ikhwan Ayman al-Zawahiri who wrote a scathing polemic against the Ikhwan called "The Bitter Harvest". Putting this together, I find a lot of credibility and logic holes in this report. There are far more questions than actual conclusions I think one can make as it relates to it.

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July 10, 2013

The following question was directed to Dr. Daniel L. Byman, Professor in the Security Studies Program at Georgetown University and Senior Fellow and Director of Research at the Saban Center for Middle East Policy, Brookings Institution:

1. And I would appreciate it if you guys would read this report and give me your personal analysis of it.

The following written submission is from Dr. Daniel L. Byman, Professor in the Security Studies Program at Georgetown University and Senior Fellow and Director of Research at the Saban Center for Middle East Policy, Brookings Institution:

I have reviewed the additional materials on the possible role of the Muslim Brotherhood and former President Morsi in the Benghazi attack. They are interesting additions to the overall record of statements, claims, and other information on Benghazi. However, I do not believe the materials by themselves show either a significant role of the Brotherhood in Benghazi or a direct role of former President Morsi. Given other information we have on the attacks and on the attitudes of the Brotherhood toward the Salafi-jihadist terrorists, I believe a significant role by the Egyptian Brotherhood is unlikely.