

**STATEMENT FOR THE RECORD
SENATOR JOE LIEBERMAN (RET)
HOUSE COMMITTEE ON HOMELAND SECURITY
“THE BOSTON BOMBINGS: A FIRST LOOK”**

May 9, 2013

Chairman McCaul, Ranking Member Thompson, thank you for inviting me to testify and for giving me the honor of doing so alongside Boston Police Commissioner Edward Davis and Massachusetts Undersecretary for Homeland Security Kurt Schwartz.

After the terrorist attacks on America on 9-11-01, I was privileged to work with colleagues in both houses, both parties, and the Executive Branch to enact the most comprehensive reforms of our national security architecture since the beginning of the Cold War in the late 1940s. The attacks of 9-11 forced America into a new war with a very different kind of enemy that required us to develop new offensive and defensive capabilities.

I am grateful that the reforms we adopted and new organizations we created have worked well to protect the American people from terrorist attacks but, as we saw in Boston, they are not perfect.

Since 9-11, no terrorist plot planned or launched from abroad against our homeland has succeeded. That is a remarkable record and is a testament to the commitment of the men and women – both civilian and military – who have devoted their lives to keeping us safe.

Since 9-11, at least 65 homegrown terrorist plots planned and launched right here in the United States have been stopped. But three have succeeded in that at least one American was killed – Carlos Bledsoe killed an Army recruiter in Little Rock in 2009; Nidal Hasan killed 13 at Fort Hood later that same year, and now the Tzarnaev brothers killed four and severely wounded many more in Boston during the week of April 15, 2013.

The Boston attack was the first successful terrorist attack– either homegrown or launched from abroad – on a non-military target in America since 9-11. From what I know of the facts and what I know about homegrown Islamist terrorism and our efforts to prevent it, I believe it

would have been hard – but not impossible – to have stopped the Tzarnaev brothers before the attacks.

To put it bluntly, our homeland defense system failed in Boston. With your help, we must find out why and fix it.

As you know, the 9/11 Commission concluded that our government's most significant failure that helped make those attacks possible was a failure of imagination – we could not imagine that an Islamist terrorist organization operating out of Afghanistan would have the intent and capability to send nineteen men to the United States to hijack four airliners with the purpose of crashing them into buildings and killing as many innocent Americans as possible.

We cannot say there was the same failure of imagination regarding the Boston attacks. A homegrown terrorist attack on a large public event just like the one in Boston had been a concern of federal, state, and local law enforcement for years, and especially since the London transit bombings in 2005 when four individuals living legally in the United Kingdom planted bombs on busses and trains killing 52.

In the aftermath of those attacks, the law enforcement and intelligence communities as well as Congress tried to determine the extent to which similar attacks might happen here. At the time of the 2005 London bombings, the conventional wisdom was that America was relatively immune from such attacks because we did a better job assimilating and integrating immigrant communities. It was widely believed that young men in the US – and it is nearly always young men between the ages of 18 and 35 who are involved – felt more accepted here than their peer groups did in Europe and could self-identify as both American and Muslim.

In contrast, according to this view, in communities in Europe where the threat of homegrown Islamist terrorism was greater, there was a tendency for young immigrants to feel isolated and alienated. The result was an identity crisis that left disenfranchised young men looking for answers about who they were and how to solve the personal problems they were facing.

The solution they were looking for occasionally arrived in the form of violent Islamist extremism (VIE), an ideology that provided an identity but also an ideology that justified

violence against those they thought responsible for their problems. The ideology of VIE includes some or all of the following tenets:

- A global state – or Caliphate – must be re-established in which the most radical interpretation of *Shari'ah* (Islamic religious law) will be adopted and strictly enforced;
- Adherents of VIE should be loyal to the global Islamist community – the *ummah* – rather than the community or country in which they live; and
- The tactic of choice to restore the Caliphate and hurt those responsible for global and/or specific regional Muslim suffering was and remains acts of terrorism against any meaningful target, regardless of whether it be military or civilian.

In the years before and immediately following 9/11, America's ability to assimilate and integrate immigrant communities proved to be our best defense against homegrown attacks inspired by VIE.

But those defenses began to fail as al-Qaeda and other Islamist terrorists organizations turned to the Internet. Al-Qaeda leadership, with the help of its English language spokesperson American Adam Gadahn, began disseminating videos and other messages online targeting potential recruits inside the US. Chatrooms and other online fora emerged as platforms where VIE sympathizers all over the world, including here in the US, could connect and build networks. Increasingly, VIE sympathizers could find material that provided instructions to actually carry out a homegrown attack. One of the most prominent examples of such operational material is al-Qaeda in the Arabian Peninsula's (AQAP) online magazine *Inspire*, which was written in part by an English speaking American named Samir Khan and included instructions in how to build bombs like the ones used in the Boston bombings. Dzhokhar Tzarnaev has apparently told authorities that he and his brother learned how to build the bombs they used by following the instructions in *Inspire*.

As VIE spread on the Internet and bypassed America's traditional defenses, our law enforcement and intelligence communities grew increasingly concerned that we would also face a growing homegrown threat. A July 2007 National Intelligence Estimate entitled *The Terrorist Threat to the US Homeland* stated:

[T]he spread of radical – especially Salafi – Internet sites, increasingly aggressive anti-US rhetoric and actions, and the growing number of radical, self-generating cells in Western countries indicate that the radical and violent segment of the West’s Muslim population is expanding, including in the United States. The arrest and prosecution by US law enforcement of a small number of violent Islamic extremists inside the United States – who are becoming more connected ideologically, virtually, and/or in a physical sense to the global extremist movement – points to the possibility that others may become sufficiently radicalized that they will view the use of violence here as legitimate.

FBI Director Mueller testified that same year at a hearing on the sixth anniversary of the 9/11 attacks that “al-Qaeda [was] also inspiring individuals with no formal links to the group. The threat of homegrown terrorists or extremists, acting in concert with other like-minded individuals, or as lone wolves, has become one of the gravest domestic threats we face.”

An attack like the Boston bombing has been a concern for the US government for years. In fact, we have not only been concerned about the possibility of such attacks, we have made considerable efforts to understand why and how individuals become radicalized, why some terrorists succeed and others do not, and, most importantly, what we can do to prevent homegrown terrorism.

Unlike 9/11, the ability of the Tzarnaev brothers to plan, arm themselves, and carry out the bombings without detection right here in the United States was not the result of a failure of imagination. Rather an attack like this had been predicted for years, which leads me to conclude that the success of these attacks was the result of errors made within our existing homeland security system – both public and private – and by a failure to do enough at the federal, state, and local levels to counter homegrown terrorism inspired by VIE in the first place.

After the Fort Hood shootings in 2009, Senator Collins and I launched an investigation in which we had two key lines of inquiry that I think are relevant here. We started with an assessment of the information the government had prior to the Fort Hood attacks and the actions it took or failed to take in response to that information. And then we asked what additional steps

are necessary to protect against future homegrown terrorist attacks inspired by the ideology of VIE.

With regard to the first line of inquiry, it is still too early to determine which mistakes were made in the run-up to the Boston attacks, but it is not too early to ask some direct questions that demand answers, including the following:

- 1) Should the fact that the first notice we received of Tamerlan Tzarnaev's radicalization was from the Russian intelligence service have warranted special handling or guaranteed that his file would not be closed too soon? Experts who have studied homegrown Islamist terrorism have found that those who had prior relationships with Islamist terrorists overseas were more likely to succeed in planning and carrying out an attack at some point. It is also often the case that those with foreign contacts who travel overseas are more likely to come to the attention of law enforcement and the intelligence communities. That happened here, but the FBI did not act on that notice and the foreign travel and contacts by Tamerlan were, for some reason, not enough of a collective red flag to warrant more attention from our homeland security personnel.
- 2) Were the FBI's interviews and surveillance of Tamerlan adequate to determine that he was not a candidate to radicalize to the point of wanting to commit a terrorist attack? Radicalization is, after all, a process and it is possible Tamerlan was not yet considering violence when the FBI interviewed him. Nevertheless, did the FBI interviewers know what to look for in terms of the radicalization process? Did they consider whether Tamerlan might fit the profile of an emerging homegrown terrorist who warranted greater monitoring and surveillance?
- 3) Did the FBI enlist the help of state and local law enforcement, either on or off the JTTF, to continue to watch the brothers, engage with their friends, associates and community leaders or monitor their internet activities – including Tamerlan Tsarnaev's YouTube account, which openly recommended a collection of jihadist videos – for the purpose of assessing if either or both of the brothers were radicalizing? The FBI does not have the resources or personnel to monitor all potential terrorist threats in this country and must

rely on state and local law enforcement, which, as Commissioner Davis and Secretary Schwartz will tell you, know their communities best and are proven force multipliers in efforts to prevent terrorist attacks, particularly homegrown attacks.

- 4) Did the FBI and specifically the JTTF in Boston enlist the help of the local Muslim community in assessing whether Tamerlan was likely to radicalize? Did the FBI or local law enforcement have sufficient relationships within the local Muslim community to make that request? Or was there a wall that prevented the local Muslim community from assisting law enforcement with its assessment of whether Tamerlan might become a threat?
- 5) Why didn't the DHS notify the FBI and the Boston JTTF when its system "pinged" that Tamerlan Tzarnaev had left America for Russia on his way to Dagestan? As this Committee knows, JTTFs are units in FBI field offices that conduct counterterrorism investigations primarily in their areas of jurisdiction. The failure of JTTFs to share critical information made it possible for Nidal Hasan to carry out the attacks at Fort Hood. Did something similar happen here? Had the Boston JTTF known about Tamerlan's departure and lengthy stay in Dagestan, would they have taken a second look at his potential ties to Islamist terrorists?

As for the second line of inquiry, I hope your committee will also ask what other programs or policies could protect the US from future homegrown terrorist attacks while also not violating First Amendment rights of free speech and free exercise of religion. The case of Zachary Chesser, a US citizen now serving a 25 year sentence for material support for terrorism, illustrates some of the challenges law enforcement faces in these cases. Just before turning 19 in 2008, Chesser, a Virginia native, started posting on Anwar al-Awlaki's blog and the following year, he created his own website – *themujahidblog.com*, which he dedicated to “those who give their lives for this religion.” Despite Chesser's postings and declared allegiances to VIE, there was little law enforcement could do. It was not until 2010 that Chesser had taken enough steps to be arrested for material support for terrorism. From the initial reports about the FBI's investigation into Tamerlan Tzarnaev, it appears they were forced by internal rules and

guidelines to stop watching Tzarnev even though he was arguably a prime candidate for radicalization.

We must find ways to stop the spread of VIE and stop the radicalization process even if no crime has been committed. That is one of the primary policy challenges before us as we try to identify ways to prevent an attack like the one in Boston from ever happening again.

The key to making that happen is a “whole of society” approach rather than just relying on the law enforcement and intelligence communities. Such an approach has been discussed and debated for some time now and strategies have even been written and released by the current and the previous administrations. If we are to move beyond the strategies and take steps that will fill the gap between support for VIE and the planning and carrying out of an attack, I believe the following are necessary steps:

- 1) Recognize that the Enemy is al-Qaeda and Violent Islamist Ideology: In a prescient passage, the 9/11 Commission explained:

Our enemy is twofold: al Qaeda, a stateless network of terrorists that struck us on 9/11; and a radical ideological movement in the Islamic world, inspired in part by al Qaeda, which has spawned terrorist groups and violence across the globe. The first enemy is weakened but continues to pose a grave threat. ***The second enemy is gathering, and will menace Americans and American interests long after Usama bin Laden and his cohorts are killed or captured.*** Thus, our strategy must match our means to two ends: dismantling the al Qaeda network and prevailing in the longer term over the ideology that gives rise to Islamist terrorism (emphasis added).

The first step in a whole of society approach is to recognize that our enemy is more than just al-Qaeda and other franchised Islamist terrorist organizations around the world. It is, as the 911 Commission told us also the ideology of VIE. And when law enforcement is unable to arrest an individual who might be subscribing to this ideology, it is incumbent

on others in our society to intervene. This burden disproportionately falls on the Muslim-American community, which is often in a much better position to identify individuals who are espousing the ideology of VIE.

- 2) Understanding the Radicalization Process: The second step in the whole of society approach is to understand the process by which an individual transitions becoming an Islamic terrorist.

Many news stories have been written about the personal challenges of the Tzarnaev brothers and though the details of their lives might be unique, the radicalization process that turned them into terrorists is not. In 2007, the New York City Police Department (NYPD) released a seminal report titled *Radicalization in the West: the Homegrown Threat*.

Recognizing that more plots against America since 9/11 had in fact been homegrown rather than from overseas, NYPD set out to document the radicalization process, which they broke down into four stages: (1) pre-radicalization, (2) self-identification, (3) indoctrination, and (4) jihadization. The affinity for VIE accelerates during the self-identification phase when a young man experiences a personal crisis or crises and feels alienated from his local community. He then connects their personal grievances to one of the many global grievances championed by violent Islamists around the world, which leads to a sense of renewed purpose and a mission: to advance the cause of VIE by planning and carrying out a terrorist attack against an American target and those targets are increasingly in the US.

Law enforcement, community leaders, and anyone in authority who might come in contact with an individual embracing VIE must become familiar with the radicalization process so that they know if and when there might be a problem that warrants intervention, which is the most effective ways to stop the next homegrown terrorist attack.

- 3) Information Sharing Must Continue to Improve: Prior to 9-11 there was too little sharing of information about terrorist threats among government agencies and therefore the so-called dots could not be connected because they were not on the same board. The post 9-11 reforms sought to overcome that serious problem and, to a significant but not total degree, they have. In fact, today there is so much information being shared on the same board that the larger problem for our homeland security personnel often may be seeing the important dots so that they can be connected. That may have been the problem in this Boston attack. I urge the Committee to examine the extent to which that problem as well as lingering failures to share information made it more difficult to prevent the Boston attack.

- 4) Local Law Enforcement: Defending the American people from overseas threats is the first responsibility of the federal government. The unique challenge of VIE is that it is an overseas threat that, with the help of the Internet, can bypass our national security infrastructure and find receptive audiences inside the United States. Even with the significant resources the FBI has committed to counterterrorism, including setting up more than 100 JTTFs around the country, there are simply not enough federal law enforcement personnel on the streets and in communities to identify and prevent VIE radicalization and terrorism.

That gap must be filled by local law enforcement. Local law enforcement personnel know the communities they serve better than anyone else and are present in those communities every day.

There are two key ingredients to making local law enforcement a more effective counterterrorism force, especially with regard to stopping homegrown radicalized terrorists like the Tzarnaev brothers.

The first is education. As part of their training, local law enforcement personnel should become familiar with the basic tenets of VIE and the radicalization process. The second is relationships. As part of their day-to-day responsibilities, local law enforcement

personnel are already in the business of building relationships with leaders in the communities they serve, but now there must be a premium on building relationships with leaders of local Muslim-American communities.

The NYPD has done this well, and so has the LAPD. The LAPD's approach to working with Muslim-American communities, as it was explained by Deputy Chief Michael Downing to the Senate Homeland Security Committee in 2007, is relevant and instructive:

In the LAPD, we believe that no amount of enforcement or intelligence can ultimately prevent extremism if the communities are not committed to working with law enforcement to prevent it. ... Muslim-American neighborhoods and communities have a genuine responsibility in preventing any form of extremism and terrorism. If the broader communities are intolerant of such things, these ideologies cannot take root. We need to show our belief in human dignity, the family, and the value of the individual, and that community policing initiatives in Muslim communities should aim to create a shared sense of threat. Society as a whole fears the indiscriminate mass violence we are seeing around the world, and only when community leaders support this effort will there be a flow of credible intelligence.

- 5) See Something, Say Something: Early intervention in the radicalization process must just be one part of a national "See Something, Say Something" effort. Our very good record of stopping homegrown terrorist plots before they are carried out is due in many instances to an alert member of the public. "See Something, Say Something" must become an integral part of our counterterrorism efforts so that the first instinct of family and friends or associates of Dzhokhar Tzarnaev who have been indicted for obstruction of justice would be to call law enforcement rather than help those who are radicalized or have become fully radicalized.

“See Something, Say Something” is most important for leaders and members of Muslim-American communities around the country for they are often in the best position to identify early stages of radicalization. Would the Tzarnaev brothers have been able to carry out the attacks if leaders and members of the Boston mosque that threw Tamerlan out because of his extremism had said something to the police and done something to counter his radicalization?

The cost of silence, as we learned again on April 15, can be enormous, as enormous as the cost of not doing the post mortem investigations that Congress and the Executive Branch have now begun.

Chairman McCaul and Ranking Member Thompson, thank you again for the opportunity to testify today and I look forward to helping the Committee in any way I can as you move forward with the investigation.