

TESTIMONY ON THE FINDINGS AND RECOMMENDATIONS OF THE DEPARTMENT OF DEFENSE INDEPENDENT REVIEW RELATING TO FORT HOOD

THURSDAY, JANUARY 21, 2010

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to the notice, at 9:30 a.m. in room SDG-50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Akaka, E. Benjamin Nelson, Hagan, Burris, Kirk, McCain, Inhofe, Chambliss, Thune, LeMieux, Burr, and Collins.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Gabriella Eisen, counsel; Jessica L. Kingston, research assistant; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; and William K. Sutey, professional staff member.

Minority staff members present: Diana G. Tabler, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Kevin A. Cronin, Paul J. Hubbard, Jennifer R. Knowles.

Committee members' assistants present: James Tuite, assistant to Senator Byrd; Vance Serchuk, assistant to Senator Lieberman; Carolyn A. Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Ann Premer, assistant to Senator Ben Nelson; Juliet M. Beyler and Gordon I. Peterson, assistants to Senator Webb; Jennifer Barrett, assistant to Senator Udall; Roger Pena, assistant to Senator Hagan; Roosevelt Barfield, assistant to Senator Begich; Nathan Davern, assistant to Senator Burris; Ron Carlton, assistant to Senator Kirk; Anthony J. Lazarski, assistant to Senator Inhofe; Lenwood Landrum and Sandra Luff, assistants to Senator Sessions; Clyde A. Taylor IV, assistant to Senator Chambliss; Adam G. Brake, assistant to Senator Graham; Jason Van Beek, assistant to Senator Thune; and Molly Wilkinson, assistant to Senator Collins.

OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody. The committee meets this morning to consider the findings and recommendations of the independent panel appointed by the Secretary of Defense fol-

lowing the tragedy at Fort Hood. The primary objective of the panel was to “determine whether there are programs, policies, or procedural weaknesses within the Department of Defense that create vulnerabilities to the health and safety of defense employees and their families.”

Today’s open hearing is on the panel’s unrestricted report. A restricted annex to their report entitled “Oversight of the Alleged Perpetrator,” focuses on information which in the judgment of the Department of Defense could prejudice a criminal prosecution if it was discussed in public. So our committee will have a closed session after this—we’ll have a closed session after this open hearing has concluded.

Our witnesses this morning are Togo West, former Secretary of the Army, and Admiral Vernon Clark, U.S. Navy-Retired, former Chief of Naval Operations, who together co-chaired this independent review. We have reviewed their unrestricted report. Members have had an opportunity to review the restricted annex. We welcome you both. We thank you for returning to government service for this very important task. It’s a continuation of your great patriotism and loyalty.

On the afternoon of November 5, 2009, an Army field-grade officer, Major Nidal Hassan, opened fire on fellow soldiers in the Soldier Readiness Center at Fort Hood, TX, killing 12 soldiers, 1 civilian, and wounding or injuring 43 others. There is information in the public domain indicating that this tragic and violent incident was preceded by a number of indicators that would seemingly raise questions about Major Hassan’s fitness to serve as an officer and Army psychiatrist. Some of those indicators were email contact with a radical Muslim cleric in Yemen, concerns about his expressed belief that sharia religious law took precedence over the United States Constitution, presentations that he made that for some of the witnesses indicated sympathy for violence, and concerns expressed by superiors and peers about his duty performance and his ratings.

So there’s a connect-the-dots issue here. There are a number of other investigations that will examine the failure to connect those dots. That is not part of today’s open hearing. The Department of Defense’s inquiry is one of several inquiries that are or will be examining the incident. The President has directed a review of intelligence matters related to the shooting, the FBI is conducting a review of its procedures, and a military justice investigation is ongoing.

The review that we will consider today was a first assessment of the Department’s policies and procedures to identify gaps that warrant further investigation and action. Clearly there is much more that needs to be done. The Secretary of Defense has committed to tasking each service and pertinent DOD agencies to conduct an in-depth follow-on review based on the findings of this report.

The Secretary of Defense gave this independent panel less than 60 days to conduct a quick-look review “to identify and address possible gaps and/or deficiencies in the Department of Defense’s programs, processes, and procedures related to identifying DOD employees who could potentially pose credible threats to themselves or others, the sufficiency of the Department of Defense’s force protec-

tion programs, the sufficiency of the Department of Defense's emergency response to mass casualty situations at DOD's facilities, and the response to care for victims and families in the aftermath of a mass casualty situation, and, finally, the execution and adequacy of Army programs, policies, and procedures as applied to the alleged perpetrator."

The panel completed its work and delivered its report to the Secretary of Defense on time, and that is remarkable, given the short period of time over the holidays that the panel was given for this task. This could only be done under the strong leadership of our witnesses, who co-chaired the independent panel.

A copy of the report of the Department of Defense Independent Review, entitled "Protecting the Force: Lessons from Fort Hood," will be included in the record of this hearing.

[The information referred to follows:]

[COMMITTEE INSERT]

Chairman LEVIN. The independent panel made a total of 42 findings with associated recommendations in the basic report, with an additional 12 findings in the restricted annex. The panel gives Fort Hood high marks for a quick and effective response to this incident, while recognizing that the Defense Department can and should do more to prepare for multiple simultaneous incidents in the future.

The panel found that some programs, policies, processes, and procedures were adequate, but were not complied with, and other policies are in need of revision to give commanders the tools that they need to counter internal threats as well as new threats that may manifest themselves in the future.

The report produced by this independent panel gives the Department of Defense a blueprint for additional reviews and resulting policy changes. For instance, the Department will need to evaluate and update policies and procedures for identification of indicators of violence, clarify policy regarding religious accommodation, review and improve military personnel records, and refocus defense force protection programs on internal threats.

This committee has a continuing interest in the findings, recommendations, and changes made based on these reviews. It will continue its oversight of the Defense Department actions, and I assume this will be the first of a number of hearings into this incident, how it could have been avoided and how we can deter similar tragedies in the future.

Before I close, I want to commend the soldiers, the first responders, the law enforcement personnel, health care providers, for their prompt, professional, courageous acts that prevented an even greater loss of life as a result of this horrendous act.

Senator MCCAIN.

STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. I thank you, Mr. Chairman, and I join you in welcoming Secretary West and Admiral Clark, and I thank them for their continued service to their country, and I thank them and their staff for their work in conducting this independent examination of the tragic events last year at Fort Hood.

I agree with the statement in your report that the events of November 5, 2009, are first and foremost a tragedy for all involved,

families, colleagues, and the Nation. My thoughts and prayers continue for the families and friends of the victims of this terrible tragedy.

I appreciate that the Department of Defense initiated this review to scrutinize itself with regards to organizational shortcomings that led to the horrific killings of 12 service members, one Army civilian, and the wounding of 43 others. However, most of your report is devoted to personnel policies and emergency shooting response procedures. The report concentrates on actions and effects, rather than the motivations. But it was motives that led to the Fort Hood killings that should have been examined, whatever the political correctness implications. The panel's effort to assist the Department of Defense and the American people to understand the threat to national security and to our military personnel was undermined as a result.

We have a profound responsibility to try to prevent harm to all Americans, especially those who volunteered for service in the armed forces and have as a result become high-value targets for our enemies. I find insufficient information in this report to advance the identification and elimination of this threat.

The omission in your report of adequately recognizing and addressing the specific threats posed by violent extremism to our military service members is troubling. We owe it to our service members and their families to be very candid in addressing the threat of violence driven by violent Islamic extremism.

I believe General Jack Keane, the former Vice Chief of Staff of the Army, made the point clearly in his testimony on November 19th when he said that "We need to provide a service to all Muslims serving in the armed forces by clearly describing the threat, explaining the indicators of potential problems, and obliging all military personnel to report individuals who display these beliefs and actions."

I believe the information you've compiled in the restricted evidence—restricted annex to this report regarding failures in the performance of officers who supervised Major Hassan during his medical education will help to ensure accountability and corrective measures. Much of this information, not surprisingly, has been leaked to the media and it portrays a system badly in need of re-evaluation and reform.

I expect the Secretary of the Army to move quickly to ensure accountability for the shortcomings you identified and to demand more from our officers and organizations. They should have the courage and integrity to identify substandard officers who represent potential threats to those around them. I hope you can comment today on what we can expect in this regard.

I also believe that your findings and recommendations will have value in prodding the Department of Defense and the services to take on the challenge of identifying the legal and regulatory barriers to information-sharing called for in the report. There are an array of concerns that must be addressed in this regard. Concerns about individual privacy, threat of litigation, equal opportunity violations, First Amendment rights, medical privacy, including stigma from seeking treatment, and abuse of authority are just a few. They represent a Gordian knot that has to be cut.

What happened at Fort Hood was something more than an isolated incident, more than a random act of violence by an alleged perpetrator. It was a terrorist act, struck against us as part of the broader war in which we are now engaged. Without focusing on the threat posed today by violent Islamic extremism to our military and their families, we can't address those vulnerabilities and correct them.

I thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

[COMMITTEE INSERT]

Chairman LEVIN. Thank you very much, Senator McCain.

Now let me call on you, Secretary West.

STATEMENT OF HON. TOGO D. WEST, JR., CO-CHAIR, DEPARTMENT OF DEFENSE INDEPENDENT REVIEW RELATING TO FORT HOOD

Mr. WEST. Thank you, Mr. Chairman, Senator McCain, and distinguished members of the committee, for the opportunity to testify before you on this important matter. I wonder if I might do one or two quick housekeeping things. You have I think from us our written opening statement. It is a joint statement by both Admiral Clark and by me, and we would ask you to include that in the record.

Chairman LEVIN. It will be.

Mr. WEST. With that, we will give a few comments, a bit of a roadmap to what's in our report, although we're aware that you have had a chance to look through it. I will do the first group and then, if you will permit, Admiral Clark will take up from there.

Chairman LEVIN. That would be fine. Thank you.

Mr. WEST. As you pointed out, Senator, Mr. Chairman, and you also, Senator McCain, that day, November 5th, was a day of tragedy, and we will all remember it as such. Out of that tragedy, there are some instructive lessons for us, and those are what we address in our report.

As you pointed out, Secretary Gates was specific in what he asked us to do, contained both in a memorandum to us in his terms of reference and in his statement at his press conference. That is important to us because it bounds our undertaking, as did the time we were—within which we were asked to complete our work, and also as did the fact that he had already indicated his intention to have a lengthier, more in-depth follow-on review of both our report and the issues that we raise by the services. He has already begun that process of referring the report out for their follow-on activities.

As you pointed out, we were asked to look at personnel policies, specifically those that pertain to our ability to make identifications of those who are a risk, a danger to their fellows in the service, to look at how those policies and practices and procedures allow us to deal with, after we have identified those threats, and to look at the ways in which there are gaps or deficiencies—his language—that we need to improve upon going forward.

He also asked us to look at force protection measures with the same idea, not just in the Army, but across the board in the Department of Defense, and OSD procedures and regulations at the level of every service.

Third, to look at our preparations and our policies concerning preparations for mass casualty events for responding to them, for our emergency procedures, if you will.

Finally in that group of four, to look at how we provide for the support of those who provide needed medical care to those who serve.

The fifth assignment that he gave us was a very specifically stated one and I think it's one of the annexes to—it's in one of the annexes to our report, and that is this: to examine the Army's application of its procedures and policies to the alleged perpetrator. I make that distinction because he did not ask us to go and explain what happened, although it certainly I think would appear to all of us, you and we as well, that without an understanding of what happened we certainly couldn't understand how the Army applied its policy. But our purpose, our direction, was to understand the Army's application of its policies and procedures to the perpetrator. That is what is contained in our annex 5.

I should say to you as part of an understanding of how we organized and prepared for this that that was in our view going to be simply chapter 5 of our report, of a report that we would submit to you today for review. After review, departmental lawyers concluded, and I think they concluded properly, that there was a great risk of interfering with the military justice, the criminal proceeding, and that is why it is submitted to you as a restricted annex.

With that in mind, we were told not to interfere with the intelligence investigation that had proceeded, nor with the military justice, nor with the ongoing parallel FBI review, and we've made an attempt not to do so. What we did do was to organize ourselves into five teams, supported by personnel whom we requested and were assigned to us from the military departments and from OSD. Each of these teams looked into the specific areas that we have described in the report, submitted their report of their activities to us, and then we, Admiral Clark and I and those who worked directly with us, took responsibility for reviewing and stating our conclusions and our views with respect to that.

Our personal views are found throughout the report, but they are specifically called out in the executive summary, which you note we took the step of signing ourselves so that you would know that the words of the executive summary come from us, including those five or six recommendations that are for specific early action by the Secretary of Defense. Let me report that he has already taken some of those actions as we talk.

We had also a board of advisers drawn from the senior ranks of the Department, the military ranks, whose purpose was not to lead a team, although two of them were team leaders, but merely to review as we went and provide an overall perspective of what we were looking at and how we were stating it and how it would affect real progress for the Department in terms of responding to what had happened. Their help to us was invaluable, because when you think about it, otherwise the Admiral had himself and me to bounce these things bounce and forth, to discuss. The board of advisers gave us an additional group with the same broad range.

A word or two at this point from both Admiral Clark and me about the actual landscape of the report. What you have before you has five chapters with an executive summary at the front and with some annexes. The first chapter is a very brief, one-page synopsis that we thought we could state in a public report, that is much more dealt with in detail in the annex, and that is about the alleged perpetrator.

Chapters 2, 3, 4, and 5 are about the bulk of what the Secretary asked us to look at. I call your attention to chapter 2, which is about the personnel policies, which is divided into three sections, one having to do with how we identify the kinds of things that can lead a person to become a danger to his or her colleagues. A second part of it has to do with sharing that information, getting it to the right place. I point out to you that in our finding 2.2 in that report we acknowledge a specific difficulty and that is of the fact that information that is obtained in one place does not always go forward with a service member to successive assignments, thus making it difficult for commanders to know exactly what they're dealing with. The third section in that chapter 2 has to do with barriers to action.

Three comments, three observations, before I ask your permission to have Admiral Clark take on the description to you of other parts of the report. The first is this: There can never be too much preparation. In some ways, we could say that no matter how much preparation you've done there is more that could be done. At Fort Hood the leaders had taken—had anticipated mass events, mass casualty events, in their emergency response plans, and it showed in their responses. As you have acknowledged, Mr. Chairman, and as also did Senator McCain, the response was prompt. Within 2 minutes and 40 seconds of the first 9–11 call, first responders were on the scene of the shooting, and by first responders I mean elements of the Fort Hood security forces. Within a minute and a half after that, the assailant had been taken down, and within 2 minutes and 50 seconds after that two ambulances and an incident command vehicle from the post hospital had arrived to begin to dispense needed medical care.

Lives were saved. And yet, as you have pointed out, 13 people died and scores others, 43, were wounded. We must prepare better, plan more intensively, and take the hard effort to look around the corners of our future to try and anticipate the next potential incident.

Second, we must be attentive to today's hazards. Today the requirement that is imposed upon us in the Defense Department is to understand the forces that cause an individual to radicalize, to commit violent acts, and thereby to make us vulnerable from within.

Finally, the thread through all of this is violence, how do we detect the indicators of violence, how do we share the information about those indicators, and then whether we have the foresight to act.

Thank you, Mr. Chairman, and with your permission Admiral Clark will take it from here.

Chairman LEVIN. Thank you so much, Mr. West.
Admiral.

[The prepared statement of Mr. West follows:]

STATEMENT OF ADM VERNON E. CLARK, USN [RET.], CO-CHAIR, DEPARTMENT OF DEFENSE INDEPENDENT REVIEW RELATING TO FORT HOOD

Admiral CLARK. Good morning, Mr. Chairman. I appreciate the opportunity to be with you today to talk about the work of Secretary West and myself and the group of people who worked with us in this effort.

Let me make a few comments and get right to the questions when we can. I know that you have questions for us, so first let me talk about force protection for a moment. The principal message of our review with regard to force protection is simply this: There are lots of policies on force protection inside the Department of Defense. Since 9–11 we have built many barriers. However, existing policies simply are not optimized to deal with the insider threat, the evolving threat that we see today—and when people talk about the new threat, we’re talking about the insider threat.

Now, complicating the entire force protection challenge is the diverse nature of the way the Department of Defense has evolved since 9–11. So one of our recommendations to the Secretary was that you have to look at the organization itself. On page 25 of the base report, you find a description of the various under secretaries and assistant secretaries of defense that are charged with responsibilities for working the force protection challenge. Synchronization is difficult and, simply stated, no senior DOD official is assigned overall responsibility for synchronizing this policy.

Notice, I’m not saying that one person should have all that responsibility. Neither is Secretary West. We were careful not to define the specific organization for the Secretary of Defense. Our observation is synchronization is pretty difficult the way it’s set up, the way it is today, and we recommend that it be looked at. The key point, too, is that there has to be a mechanism in place to do this integration, and that’s our recommendation.

Second, the task of ID-ing employees who potentially could threaten the work force—and I ask us to remember that the Secretary asked us to look at violence. So the question is, how do we identify individuals who have the potential for violent behavior. Certainly in our research we found that detecting a trusted insider’s intention to commit a violent act requires observation skills that may not be in place. This is the evolving threat.

So there’s a requirement to understand behavioral cues and anomalies that would alert commanders and supervisors to know that such a threat exists. While the Department focuses very effectively on many things, there is insufficient knowledge and guidance concerning who this insider threat is: Who are these people? There is insufficient guidance on workplace violence and, most importantly, how to identify the person who has the potential to self-radicalize. In our view it is simply insufficient.

The key word here is “violence.” Now, since our report has come out some have criticized us for not suggesting and talking enough about violence Islamic extremism. When we talk about self-radicalization, and the term appears numerous times in our report, we’re talking about the behaviors that create and lead to violence.

That's what we're talking about. The lack of clarity for comprehensive indicators limits the commander's and supervisor's ability to recognize the potential threats. Fixing this issue will be critical to solving this problem in the future.

DOD policy on prohibited activities—and I have the instruction here with me that talks specifically about what prohibited activities are inside the Department—this instruction in our view is too limited and it only addresses active and very visible participation in groups that may pose threats to good order and discipline inside the ranks.

So we found that this lack of clarity for comprehensive indicators which limit commanders' and supervisors' ability to recognize the potential threats—we're talking about people who could hurt themselves. The Secretary of Defense cited specifically, people could hurt themselves, for example the issue of suicide. Criminal and gang behavior, people that are advocating supremacist doctrine, family violence, evolving threats like self-radicalization—identifying these key indicators is critical to focusing the force on the threat.

Let's talk about information sharing. Secretary West addressed it also and let me just make a couple of points. The policies governing information exchange inside the Department and in the interagency, intergovernment system also, in our view the policies are deficient. They do not support detection and mitigation of the internal threat.

DOD and service guidance does not provide for maintaining and transferring relevant information from one duty station to the other. Now, remember we're doing phase one of this. As you talked about, Mr. Chairman, we did this review in a hurry. That's what the Secretary of Defense wanted us to do. Thousands of pages of review, but put the spotlight on the things that the Services can go fix in a hurry. It is our view that this internal information exchange has got to be examined.

In other words, how can a commander connect the dots if they don't have some information that's maintained at a local level and hasn't transferred from one command to another. I will tell you that automated systems inside the Services do not allow them to share information on, for example, registered users and persons who routinely come and go from a base and may become a threat.

So the issue of maintaining and transferring all of the relevant information, information that could lead to the identification of contributing factors, that's the issue.

Now, last Friday the Secretary of Defense in his press conference stood and addressed his observations about our report. One of the things that I was happy to see him address was his comment that Secretary West and I are of the view that we have to become more adaptable and certainly we have to be proactive, but we have to be able to adapt rapidly to this changing security environment, bringing a wide and continuously evolving range of tools and techniques and programs into play.

I just want to emphasize that there's no single-point solution for this evolving threat. We have to keep working at it. We need architectures and structures in place that will make that possible.

Now, one other point about information sharing. Certainly robust information sharing is essential. Hand in glove with that informa-

tion sharing is the required command and control apparatus, be it systems, policy, doctrine, tactics, techniques, and procedures, to convert this information into timely decisions and actions.

The bottom line, Mr. Chairman, members of the committee: We've got to remove the barriers, all of the barriers. We have to equip and enable the commanders, people in decisionmaking positions, their ability—Mr. Chairman, you used the phrase—to connect the dots. We've got to get the information and thus the indicators to the appropriate level of people in command.

Just a couple of comments about emergency response. Secretary West addressed this. Mr. Chairman, you also certainly did justice to the brilliance of the people at Fort Hood and their actions. Lots of good news related to the emergency response.

Mr. Chairman and members, I just wanted to try to put this in perspective. I committed my life in service for 37 years. I created in those 37 years a number of lessons learned myself, and I heard dozens of lessons learned reports. On the second day that our team was in existence, Secretary West and I got on a plane with a few members of our team and we went to Fort Hood. We walked the ground and they showed us the space where all of this happened and looked at the terrain. Then we sat down with General Kohn and his command team and they gave us this presentation that had been turned in a matter of a few days, their lessons learned. I want to tell you that I was really impressed.

So I heard a lot of them in my 37 years and I want you to know that I never ever heard a better one than I heard at Fort Hood that day. The base personnel were ready to respond. They had trained at this, they had worked at it. Secretary West talked about the timeline response, the response to the active shooter. It was brilliant.

All of that said, it still could have been better, and in our review we found areas where it could be better. In their own lessons learned they identified areas where it could be better. I spoke in the last subject about the command and control system. They need a better system. General Kohn had to deal with misinformation, and should anybody be surprised? I don't think so. There's never been a crisis ever that there wasn't misinformation. Being able to deal with it in a rapid way and being able to deal with a potential multiple event, Mr. Chairman, as you indicated, is critical.

So fundamentally we believe that we can improve by providing a well-integrated means to gather and evaluate and disseminate the wide range of information that will make it possible for commanders to perform to the maximum.

So this report is about focusing on better tools for commanders. This report is about focusing on violence prevention, in whatever form that violence manifests itself. This report is about adapting and evolving to rapid change, sharing information, connecting the dots and exercising against the most stressing and pressing scenarios that we know how to present, so that we satisfy ourselves that we are able to perform to the standards that we have identified ourselves.

Then I want to close by just acknowledging my alignment with all the comments that have been made about the people at Fort Hood, the families that have suffered loss, and just say that the

thrust of our work has been to do everything that we know how to do to identify policies and procedures and practices and programs that can be made better, so that the United States armed forces continue to be the outstanding force that it is today.

Thank you very much, Mr. Chairman, and I look forward to your questions.

[The prepared statement of Admiral Clark follows:]

Chairman LEVIN. Thank you, Admiral. Thank you both very much.

Let's try an 8-minute first round. The panel found that "Department of Defense policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization." I think what you're saying is that, obviously, this country believes in religious tolerance, tolerance of others' religions, but it can never be tolerance of violent radical views that are dressed up in religious garb. I think that's that point reworded.

I couldn't agree with you more. Sometimes views that are clearly either inherently violent, promote violence, are dressed up in religious clothing and that automatically means that people who are sensitive to others' religious views then are kind of put on the defensive right away or reluctant right away to point out what is underneath the claim of religion.

So the line has got to be there. Obviously, we want to continue our tolerance, but we've got to be much harder and much more intolerant of views that are radical, promote violence, or encourage violence.

So my first question, I guess, to you is that—the policy of the Department, which is limited to and addresses only active participation in groups that pose threats to good order and discipline is far too narrow a policy, because of the self-radicalization point—you don't have to participate in a group that poses that kind of a threat to be a threat yourself. So I guess my first question is how would you—and I know you're not here to provide remedies and that wasn't your job, but I assume that you agree that it's not just that that policy should be examined, but that in your judgment at least it's just simply too limited a policy. I'm wondering whether or not, for instance, you would agree that communication with a radical cleric who promotes violence is the kind of conduct that should raise real questions? Would you agree with that, even though it's not active participation at that point? It's just simply communication, asking someone for their recommendations and views. Would you agree that that ought to be raising great suspicion, without getting into this particular case?

Mr. WEST. Mr. Chairman, I would certainly agree. I think we both would. I think your larger point that this is an example of, we would agree with as well, and that is that, yes, in the past perhaps membership alone in a group may have been less looked upon than the actual act of doing things, but in this environment we have to look at the group. We have to understand its purposes.

It is already considered by some that there is a tool that enables a commander to declare certain kinds of action, including that, a threat to his immediate area's good order and discipline. But we

think the Department of Defense can just simply strengthen the ability of commanders to look at and example exactly what kind of activity they are permitting and whether or not we can better define it.

Group membership in a group of that sort, that has a record of active advocacy of violence, as well as, your point, communication, especially repeated communication—again, not referring to any particular case—with those who advocate violence, those are all signals that we need to be able to indicate in our publications and in our regulations commanders are authorized to look at and react to.

Chairman LEVIN. And even if there weren't active communication—excuse me—active participation or communication with radical persons who are promoting violence, even if there's simply the expression of views which promote violence without any information about participation in a group or communication with radical extremists—if somebody gets up and says, I believe that the Constitution comes in second and that my religious views come in first, would that not be that kind of a signal which ought to indicate some real genuine concern? Would you agree with that?

Admiral CLARK. I certainly do agree with it. It goes without saying that where we draw our red lines is a very, very important point. But you know, if you look at our history, we as a people as Americans have always been very careful working about where we draw those lines.

I so appreciate your introduction to this question by your comments about that we are a tolerant people. When I look at the DOD instruction here, it talks about what people can do when they're at work and things that they can't do at work, but they can do on their private time. What we're suggesting is that we have to better understand how people go through this process from being a non-radicalized person to radicalization and what does it mean.

So I align with your comments completely. I want to make one other observation, Mr. Chairman. In our report we talk about active duty members of the military, but the Department of Defense is much broader than just the active duty people in uniform. We understand that when Americans raise their right hand and take a pledge to serve in the armed forces that there are some freedoms that they set on the shelf. The challenge that we're facing here in security applies to everybody in the Department and that includes civilians as well, and contractors and a whole other body of people.

Then you could look at this and say, this is not just the Department of Defense; this is the whole of our Nation and the whole of government. This is a real challenge that we face.

It's clear—sir, you made the comment, when a shipmate hears a comment that's being made that is approaching a defined red line or crossing a defined red line, that we must make sure our people understand where those red lines are. That means we must have a very effective education program and outreach program, that people understand this is about our own security and the right to self-defense is absolutely not in question. We have the right to do that.

Chairman LEVIN. And that people should not be afraid of reporting information that they believe in their good judgment represents a potential threat to good order and discipline and to the safety of

the country or of their own group out of fear that that might be viewed by some as being intolerant of religious views. We've got to simply allow people the freedom to report something which they believe is a threat to their group, their country, or to the individual himself, and not be dissuaded by the fact that the views are dressed in some religious garb.

Admiral CLARK. Good order and discipline is the fabric upon which the greatness of the United States military is built, and we have to ensure that we do everything we know how to do to protect it.

Chairman LEVIN. Secretary West, did you want to add anything to that?

Mr. WEST. No. I think the Admiral caught the point I would have made, which is that we are sensitive to the fact that we are talking about expressions and expressions in many cases that pertain to religion—two different hits on the First Amendment. But as he pointed out, when a member takes an oath of office there are some things as to which he or she agrees to be regulated. We believe that where there is a clear connection with a potential for violence that would cause damage to one's fellows in the service, this is a basis on which we can encourage the Department to act more clearly and more aggressively.

Chairman LEVIN. My final question is this. You have not been given the charge of recommending remedies for where there are gaps. That's not part of your charge, although you freely responded to my questions this morning and I appreciate that. Who is in charge of responding with remedies to your recommendations? What is the timetable? Does this go right up to the Secretary of Defense and has he assured you that he will consider appropriate remedies within a certain timetable, or is there somebody else in the Department that's on the remedies side of what you've outlined here?

Mr. WEST. The answer to your question is twofold. I'll take the second first, which is: Yes, in his follow-on review he is ordering two sets of things. He's in that process. I think some orders have gone out, but not others. One, he is going to ask a single member of his staff—we believe, but we don't want to commit him—it is his prerogative, not ours—perhaps the assistant Secretary for Homeland Defense or Security—I'm not authorized to make that statement, don't know, but that's our belief—to conduct a follow-on review, but each of the services also.

Part of their job is to take this report—he will refer it to them—and to provide their recommendations as to how to implement. That's the first answer—that's actually the second answer.

The first answer is in some ways you give Admiral Clark and me too much of a by. The fact is his direction to us was to come up with action memo recommendations as well.

Chairman LEVIN. All right. In that case, I withdraw that comment. Are your recommendations then to be acted upon in a certain length, period of time?

Mr. WEST. I'm not clear. I think—

Chairman LEVIN. What I'm referring to is this. You say that there's inadequate clarity on the issue we've been discussing. The recommendation is a general one: Provide clarity. But it's not the

specific clarity. It's just: You should provide clarity, Mr. Secretary. And I couldn't agree with you more, but it's not what the new regulation should be. That's going to be left up to the Secretary. That's what I meant when I said you have not provided the specific new language that should be in place replacing the unclear language. That's what I meant by that.

Now, is there a timetable?

Admiral CLARK. Yes, there is. There is a timetable. He pronounced it Friday.

Chairman LEVIN. And what is it?

Admiral CLARK. He wants first impressions back in March and he wants to wrap this up by June.

If you read the language, we were very careful with our recommendations. First of all, you confirm the Secretary of Defense and that allows him to be the person who makes policy. We were very aware of the fact that at one point in our lives we were those people, but we're not those people today.

So we suggested on numerous occasions he review policy because we thought there were holes or weaknesses or gaps. There were some places that the language is slightly stronger: It's absolutely clear to us that the policy is—and we say sometimes it's inadequate. But we teed it up in a way so that they could now put that spotlight on it, and he's given them the timetable.

Chairman LEVIN. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I'm going to pick up on two things you mentioned, and the first one I'll be criticized for as not politically correct. But I'll make this statement. You know, if you're around Washington and you're in these hearings, it's one thing. But when you go back to Oklahoma, as I do every week, it's another thing. I'm always hit up with this idea, because not only—we're talking about the Fort Hood thing now, but I could talk to you about Abdul Mutallab, the Christmas bomber. The extremist views were evident from the University College through London, and it goes on and on. The 19 November, the father reports and we all know about that report. Late November, he was added to the U.S. 550- name terrorist identity datamart and all this stuff.

All this stuff is stuff that we knew. That's not in your purview, I understand that. But nonetheless, it's the same. A terrorist is a terrorist. That's what they do for a living: They kill people.

I for one—I know it's not politically correct to say—I believe in racial and ethnic profiling. I think if you're looking at people getting on an airplane and you have X amount of resources to get into it, you need to get at the targets, not my wife. I just think it's something that should be looked into.

The statement that's been made is probably 90 percent true, with some exceptions like the Murrah Federal Office Building in my State of Oklahoma. Those people, they were not Muslims, they were not Middle Easterners. But when you hear that not all Middle Easterners or Muslims between the ages of 20 and 35 are terrorists, but all terrorists are Muslims or Middle Easterners between the ages of 20 and 35, that's by and large true.

I think that some time we're going to have to really—at least I'm going to have to have a better answer than I give the people back home, when people board planes or get into environments such as the environment that we're dealing with with this report.

I guess nothing more needs to be said from you guys on this. Let me first of all say, which I should have said first, there are no two people I think are more qualified to do the job that you have had to do than the two of you. You've been good friends of mine for a long period of time.

Now, something we can talk about, I think, a little more, a little easier. Your purview was really domestic, wasn't it? CONUS was most of what you were talking about, was making the recommendations coming from what happened in the incident at Fort Hood. Did you look into outside the United States? We have thousands and thousands of troops all over the world, and to me the threat is probably a little bit greater there than it would be here.

What thoughts do you have on that, or maybe recommendations you could have on that, to expand what you're doing to include that?

Admiral CLARK. We certainly did, Senator. The first thing that comes to mind is, every base where we exist overseas, we have non-Americans working with us on the base. What are the processes and the procedures for vetting these people? So we challenge it. We have a section in the report that talks about security clearances and how people gain access.

So when we're trying to—the second thing I talked about—identifying people who could become a threat, one of the things we have to look at is how we vet people in the OCONUS environment. I would suggest to you—and frankly, this would probably be better, the details of this we might talk about in closed session. But I would suggest to you that it was our conviction, and we would not have put it in the report if we didn't think, that this was certainly a potential weakness.

Mr. WEST. Might I add, Senator, this. If we take the lesson of Fort Hood—and admittedly, we will talk more specifically when you have your closed session—we have to be reminded that the thesis on which we're dealing here is essentially, for this whole report, is the threat from within: the member of the military family who then turns against his or her fellow soldier, airman, sailor, marine, Coast Guard person.

The difficulty there, whether it is OCONUS or CONUS, is that with the universal access card, the ID, they can enter what should be the safest place either here or there, the base, the post, freely. With our automated systems now, we don't stop them for routine checks. So we can't—or we can. Certainly one of the lessons learned at Fort Hood was that they have now instituted some roving checks even of those who have the credentials.

But the place to stop them, the insider who's the threat, is not at the gate. It is to identify him or her before they can get onto the post and do that act. That's why all those signs that we talk about, all the cues and behavioral indications, even the ones that the chairman mentioned, are important for us to reemphasize, to expand and to focus on, to make sure commanders have that information. That applies both here and overseas.

Senator INHOFE. You know, one of the things that came out, that was discussed here by the chairman, was when can we move this along faster. I think you want to do that. We want to do that. We still have some of the recommendations of the 9–11 Commission that are not fully implemented and understood. So I would assume that you share those feelings.

I was down at Fort Hood, oh, about 3 weeks before this incident. That was when we had two of our Oklahoma units that were deploying overseas and I was down there for that event. Then I went down afterwards for the event that took place after the tragedy.

You had said—and I asked my staff to hand it to me so I could read it again. This is pretty remarkable, Mr. Secretary, when you said 2 minutes and 40 seconds after the initial 9–11 call installation first responders arrived on the scene. 1 and a half minutes later, the assailant was incapacitated. 2 ambulances and incident command vehicles from the base were there 2 minutes and 50 seconds later. I mean, that's really moving.

I would recommend, and maybe you've already done this, that you find out—not always looking at what is wrong, but learn from what was done, what was right. In this case I think it would probably serve us well to see how they did that remarkable job. I wanted to see it in writing after you'd said it, because I think that's remarkable. So I'd recommend you do that.

Mr. WEST. It was remarkable, and we did think that one of our jobs was to find out if that was the result of good planning, courageous and fast action, was there an element of luck, and, if it was what we believed and what we've said, excellent planning and well executed, is there a lesson to pass across the force.

One other thing I would add. I don't want to overdo—let me add it anyway. We tried as best we could to figure out what that meant, the passage of time from the first shot by the assailant to his last. That is, the whole event, because the uncertain part was how quickly the 9–11 call got in after the first shot was fired. The best we can make is that the whole shooting incident was ended by security forces between 7 and 8 minutes after it started.

Senator INHOFE. Were you surprised at that too, Admiral?

Admiral CLARK. I certainly was. So one of our strategies, frankly, Senator, was to—this kind of a panel is supposed to find the things that are wrong. That's what we're supposed to do. But if you notice, we lead with some very strong statements about what we thought were right, because we wanted it up front that the people at Fort Hood did a fabulous job.

I testified yesterday and the staff reminded me that I said “fabulous” or “excellent” or “outstanding” 19 times yesterday. But I want to drive the point home. I said this was the best lessons learned I've ever seen, and the performance of the people were brilliant. Were there things that could have been better? Yes. One of the reasons that it was brilliant was because of the brilliance of our people. They are so good.

Of course, nobody had the stopwatch going on inside the room where he was shooting, so that's why we don't know the exact time, as the Secretary indicated, between the first shot and the 9–11 call. But here's what we do know: There were a lot more rounds available, and they took that shooter down and the CID agent was

handcuffed to him in a matter of moments and was with him from that point on.

Senator INHOFE. Well, let me commend all of them for the fine work they did.

Admiral CLARK. It was incredible.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

I just would take 2 seconds just to say that I disagree with your comments about Middle Easterners and Muslims and the implications of those comments. I wouldn't want to say that except while you're here.

Senator INHOFE. Sure. I understand that. I expected that.

Chairman LEVIN. Thank you.

Senator Reed.

Senator REED. Thank you, Mr. Chairman.

Admiral Clark, you mentioned in terms of the threat a generic self-radicalization that would lead to violence. There are several different, as you suggest, categories of this, not simply Islamic radicals, but a host of others. Is there a strategy in the Department of Defense to identify these potential categories and to essentially work explicitly against them or to at least be aware of them?

Admiral CLARK. Well, the first point, there are—people in the public domain have said we didn't use the magic term, "radical Islamics." We didn't do it on purpose. It wasn't because we were trying to be politically correct. It was because our task was to deal with violence and this was one of them. But I don't know how people could read our comments about self-radicalization and not understand that this kind of radical Islamic behavior is part of that group.

We said specifically, though, the indicators are inadequate. Now, having said that, on Friday the Army published the list of ten, and this is—something out there is better than nothing. In the closed session I would like to get into this in some detail.

But to say we believe that all of the indicators related to violence are not static indicators. So one of our proposals is—we're living in such a rapidly changing world, potentially we should be considering the establishment of a group that focuses on this full-time. I have this whole series of kinds of behaviors that we are talking about—criminal, drug, domestic abuse, gang activity, supremacist ideology, terrorism, school violence, sex crimes, sabotage, arson, domestic violence, cyber. We're talking about all of these.

So I trust that's responsive to your question.

Senator REED. It is.

Mr. Secretary, do you have any comments?

Mr. WEST. There is an annex to our report that discusses the sources of violence in some detail. It's an example of the pieces that our researchers consulted. I think it's very informative and I commend it for reading.

I think that I agree with the Admiral's response. Also, in our executive summary, five or six key things that we recommend to the Secretary that we pull out from this report, is the suggestion of a body that will collect the indicators of violence, update them in light of current circumstances, events in our world, occurrences in our world, and then make them available on an updated basis to

the commanders and the supervisors who need to use them to make their judgments.

Senator REED. Let me again turn to the Admiral. Did you believe or conclude that there was adequate information coming from Walter Reed to Fort Hood with respect to the Major? I mean, was there a problem there in terms of letters of reprimand that might have been issued or informal reprimands that were never fully communicated, so that the commanders at Fort Hood clearly weren't able to gauge the seriousness of this individual?

Mr. WEST. Senator, I wonder if you would let us discuss that with you in the restricted session. It's in the annex.

Senator REED. I appreciate that.

There's another issue and this I think can be—I'll let you decide—discussed in public, is that there are many indicators about Major Hassan's just professional skills, far removed from his religious beliefs and his discussions, just simple competence, his ability to work with others, those things that are fundamental to being an officer in the military. And yet he was moved along. I know this question has come up. In these critical areas where there are not a surplus of individuals, such as mental health professionals, psychiatrists, etcetera, is there a double standard in terms of, had he been a line officer, an infantry officer, artillery officer—forget his radicalization, but just his simple performance, would that have gotten him kicked out?

Mr. WEST. I think again, Senator, we are prepared to discuss that with you, but we would ask you to let us do it in the restricted session.

Senator REED. I appreciate that.

Admiral CLARK. I would say certainly the heart of what we have to say is in the annex. Let me make a comment. We use the term "officership" in the open report. "Officership" was intended to mean more than just leadership, and it was our view that there were officership deficiencies. In the closed session we can talk in great detail about the specifics of that.

Senator REED. Just one final question—

Mr. WEST. If I might, Senator, I would just add also that in our one-page summary discussion in chapter 1 that is in the open report we do mention the findings and recommendations, which had to do with, A, the Army's application of its policies to the perpetrator, but also the fact that there were signs that were missed and some that as far as we can tell were ignored. That's in the open part of the discussion.

Senator REED. Thank you, Mr. Secretary.

Again, part of this response is going to be training, not just commanders, but individual soldiers, sailors, airmen, and marines. We have something like that when it comes to a traditional threat, which is subversion and espionage, the old posters, World War II, "Loose Lips Sink Ships." That emphasis is persistent. Do you envision something like that in terms of sort of the training elements going forward?

Admiral CLARK. I mentioned just briefly, but I probably didn't emphasize it well enough: There clearly has to be an outreach program here. The outreach program is not—I'm not talking about an outreach program outside the Department. I'm talking about inside

the Department. Notice, the Secretary of Defense said on Friday—and we suggested that communication, effective communication, is the order of the day here. The Secretary started that process on Friday when he said to commanders: This isn't just ho-hum—I'm paraphrasing now—ho-hum, regular daily day stuff. Commanders should have to look past the day to day.

There is no doubt that a very effective training and outreach program is part of an effective solution.

Senator REED. Thank you very much, gentlemen.

Thank you.

Chairman LEVIN. Thank you, Senator Reed.

Senator Chambliss.

Senator CHAMBLISS. Thank you, Mr. Chairman.

Gentlemen, you have previously served our country well in your respective capacities and we appreciate your coming back once again to help us deal with an issue that obviously is extremely important, at the same time extremely sensitive. So thank you for your continuing service.

In your report you suggest that the Pentagon coordinate with the FBI Behavioral Science Unit, Military Violence Unit, to identify the indicators specific to DOD personnel, and that DOD should use these indicators to develop an assessment tool for commanders, supervisors, and professional support service personnel to determine when individuals present risks for violent behavior.

Now, my question is, don't those tools already exist in the form of the Army Form 4856, which is the Army developmental counseling form, and the Army Form 679, which is the Army officer evaluation report? And assuming these documents are used and filled out appropriately, shouldn't we be able to identify a soldier who may be becoming self-radicalized as we think happened here and appropriately address the threat that they represent?

Mr. WEST. I'm going to let Admiral Clark have a good long swing at that because of his extensive experience with OERs and the like. But let me say what we were trying to do here, Senator. The fact is that there is a very good argument that there are tools out there that commanders can use to make the assessments they need to make. The question for us, though, is are there ways to strengthen what they can do and have we learned anything by the incident we faced and will discuss with you in closed session, from this incident, about how we can shore that up?

One thing is that, frankly, things like officer efficiency reports, there is a culture in the services, all of them, which I think Admiral Clark can speak to better than I can, that doesn't always find and report the kinds of things that would be better to report. For one reason, it may be because the information of some offence, of previous drug usage, but there has been a rehabilitation effort, or of some other contacts or signs, may have been left to the discretion of the commander as to whether to even keep that in the record so that it would be recorded in the OER. It never gets to the next commander, the next supervisor, and suddenly earlier signs are lost in the midst of the pass as they move forward.

We need to shore that up. We said to the Secretary in our executive summary, in our five or six big recommendations: You need to say to the officer corps of the Nation and all the services that what

you report on these OERs and on things like the SAER, service school academic evaluation report, which takes the place of the OER when they're in service school, you need to say that that matters and that it has to be accurate and, most of all, complete, so that we can make the judgments we need to make.

Now, that's the thrust of what we're doing here. So yes, reports exist, but they're not being made use of in a way that fits what we need in these new and trying times.

Senator CHAMBLISS. So do you think it's a matter of further education of those supervisors that are making the—are asking the questions and making that report?

Mr. WEST. I have an answer to that. It's a question to me, but I want to get Admiral Clark involved. My answer is: Education, yes, but also making sure that the standards—and maybe that is education—are applied. But there are also some recommendations for some further adjustments.

Senator CHAMBLISS. Admiral Clark?

Admiral CLARK. I don't know the first form that you referenced. I have the second forms here in front of me, so I can talk specifically to those.

Senator CHAMBLISS. The 4856 is the Army developmental counseling form, which I understand is completed once a year. The 679 is a quarterly report for enlisted and officer personnel.

Admiral CLARK. I don't have that in front of me. But I would say that that form and the tools that go with that would be great if the person knows what the indicators are. And our review suggests that in the area of self-radicalization that can be very fuzzy.

The reason we suggested the FBI is they've already started doing some work here. So we're saying to the Secretary, don't start from scratch. But also the recommendation to use every expert that we know how to get, because we're looking for behavioral cues and they're subtleties. Once those are known, I have every confidence that our leadership, our supervisors, will know how to deal with that.

But my interpretation of that was we were talking about an education and that's why you've got to have an outreach program that gets the training to the right people, so they have understanding of these issues.

Senator CHAMBLISS. If I'm hearing you right with regard to what both of you've said in your statement and your answers to the questions thus far, we did a great job responding at Fort Hood. Our men and women were courageous, heroic, and did a good job. But with the events leading up to the incident, we've got some major deficiencies.

In fact, Admiral, you alluded to this, I think you called it "an evolving threat," were your exact words that you said earlier. Are there any protections or punitive measures that are in place to detect, for example, an individual who is one of those folks that I would categorize as an evolving threat, who might simply join a branch of the military with the intention of duplicating what happened at Fort Hood? What have we got in place now or what do we need to do to ensure that we don't have somebody who's spent the last 6 months in Yemen or 4 years ago spent 6 months in

Yemen with the idea of ultimately coming back and having been trained to go in and duplicate this event?

Mr. WEST. Or who even spent a bunch of years or a month out in the wilds of our country becoming radicalized in a different way and under different pressures. The question is the same.

You're right, Senator, there was no failing by those at Fort Hood in their response. If there were gaps, it was in us as we tried to prepare ourselves to identify those factors that would say this person is going to be a problem, we need to act.

But I think your question was to the Admiral.

Admiral CLARK. And I agree completely with what Secretary West has said. Now we're talking—the thrust of your question gets us to this issue of the identification question that I raised this point to. That identification question raises things about the manner in which we do checks and what's involved there. I think it would be smart not to inform an enemy in a public way about my particular impressions, and if it's all right with you that we talk about that in a closed session, but affirming your comment. This is part of the challenge. And by the way, should we not expect that they're going to use every technique and scheme or maneuver that they can figure out?

Senator CHAMBLISS. Absolutely. That's why we've got to, number one, get the information. But further, to your point you stated earlier, Admiral, is we've got to share that information. It's got to get in the hands of the people who are filling out those forms or who are making recommendations relative to an individual.

Thank you, Mr. Chairman.

Admiral CLARK. Mr. Chairman, can I say, since you made that last point, I say one more time: Get rid of the barriers, inside and outside of the Department, the barriers to information flow. Thank you.

Mr. WEST. Mr. Chairman, could I make—I'm sorry to keep this going, but could I add one more thought to that?

Chairman LEVIN. Sure.

Mr. WEST. Here's another problem that your questions and Admiral Clark's response raise, Senator. That is this. Let's take religion. The reason we have numbers and records on the representation of people of various religions in our forces is because they self-identify. They say: This is my religion, I'm an Episcopalian, or what have you. What about those who, formulating a reason to hide their purposes, don't disclose their religion, don't disclose anything that will cause us to try to—this is not your term—to try to profile?

It's the indicators, the behavioral cues, that we have to rely on. They are our only way of getting at this in any organized and aggressive and effective way.

Admiral CLARK. One more comment, then. So that you know, the alleged perpetrator was initially in the Army as an enlisted person and he went off and went to school. When he came into the Army the first time, he professed to be a member of the Islamic faith. When he came in as an officer, he did not declare. So all of the indicators aren't right in front of our nose. But I have all the statistics here to talk about every brand of religion that we know about.

The reality is that way over half of our people never ever declare what—they choose not to declare. So it's not always immediately apparent. That's why this is a challenge. But then really focusing on the behaviors, and that's what we wanted to put the spotlight on. The Department in its guidance and instruction to the commanders and all the people in the field are going to go by this document, and this document doesn't have sufficient guidance about self-radicalization.

Chairman LEVIN. Thank you very much.

Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman, and thank both of you for your dedication and time in putting together a very well-organized and I think insightful report. We appreciate it very much.

So far we haven't really talked about, let's say, patient—or the evaluation process. Of course, connecting the dots requires that kind of an evaluation capability for it to be able to tell us anything. In determining behavior, if you don't have all the background perhaps you can't establish that.

Violence in the workplace is not unique now to the military. It's part of everyday life, unfortunately, and that kind of violence isn't necessarily the result of self-radicalization in the work force. So I'm wondering, in connecting the dots, as you look for not only self-radicalization, do you look for other indicators in your report, and shouldn't the military look for others, such as marital difficulties and other areas that, Admiral Clark, you identified in addition? Because self-radicalization is a subset of an overall problem when we talk about workforce violence. It may be that the military is more unique, is unique in that respect, because it's not just about domestic; we also have to face it on our military posts around the world.

So in connecting the dots, I think we understand that not all radicals will be engaging in violence and not everyone with a different idea will engage in violence. So what are other things that can be looked at in performance evaluations that would help us detect potential violence coming, not just from self-radicalization, but from others as well?

Admiral CLARK. It's a really great question and it drives us back to the guidance that's there today. We find that there are good indicators in a lot of areas. I mentioned a number of these. It includes the two that you talked about, although our view is that the whole workplace side is—you know, we tend to focus on the kind of violence that takes place away from the workplace, not in the workplace, and that's a criticism.

But let's just talk about the domestic piece, for example. Earlier we talked about the requirement for balance. We have been dealing with this now for years. So we learned a long time ago that if the balance is incorrect we were going to have difficulty, because a domestic violence situation always has a "she says, he says" scenario ongoing. So we know how to do these things when we identify the behaviors.

Now, the reason—so you're correct, we have got them. We have the tools—

Senator BEN NELSON. We have the tools, right.

Admiral CLARK. This is why we're suggesting that perhaps we want to consider the establishment of an organization, a piece of the structure, that does this for a living, because this isn't—you or I cannot define a solution set today and everything be perfect for the next 3 years. It's going to change.

Our suggestion is we need to understand the evolving world that we're facing. Let us not get sidetracked on just one little piece of this. The Secretary's goal was to make the workplace a safe environment. And imagine—and Secretary West really alluded to this. When the alleged perpetrator. He was an officer in the military. He was a field-grade officer. This implies trust. He's a medical doctor, implies more trust. He's somebody that a person would confide in. We can't have these kinds of people turning from the inside on our people and destroying the fabric of the institution and what we're all about.

So we are convinced that this then calls for the kind of investment that will ensure that we're staying up with the adaption problem. This is a challenge, to be adaptive. I'm so pleased that the Secretary of Defense addressed it straight-up on Friday and said we've got to create a more adaptive force.

Senator BEN NELSON. Secretary West?

Mr. WEST. Just as an add-on, in terms of your question, what are some of the things that should be indicators, we have a whole list of recommendations. And incidentally, in our appendix C for purposes of being helpful to you we list all the recommendations, the findings and recommendations, and something about them, so that it's easier for you to find them without having to go all through.

At about 2.6 or so and all the way through that to 2.10 or so, there's a list of things that address what you said. For example, you said what about medical? Well, so did we. We know that the medical indications and medical records are protected, and they should be. But we raise the question of whether we shouldn't review whether there are ways to make some of that history, especially when it pertains to some things I've said before—drug abuse and the like—available on a more regular basis to those who need to have these indicators.

Senator BEN NELSON. If you don't have all the dots, you can't connect them.

Mr. WEST. Exactly.

Senator BEN NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Nelson.

Senator Thune.

Senator THUNE. Thank you, Mr. Chairman, and I do want to express my appreciation to you, Mr. Secretary and Admiral, for all your service to this country, and obviously being called back into service for your extraordinary work in regard to this tragic incident.

I also want to take this opportunity to express my condolences to those that lost family members and loved ones during this terrible event. It was a horrific event in our Nation's history and the fact that it happened at Fort Hood, a place where more people have deployed to fight against terrorism than any other place, is really heartbreaking. And our heartfelt appreciation goes to those first responders who, once informed of the situation, as you have noted,

not only arrived quickly, but showed tremendous professionalism and dedication to duty and in doing so saved a lot of lives.

I want to ask you about a couple of findings in your report. One is finding 3.8 of your review, which states: "The Department of Defense does not have a policy governing privately owned weapons." Your recommendation states that: "DOD needs to review the need for such a policy." I guess my question is, can you explain what you mean by a privately owned weapons policy?

Mr. WEST. There exists, for example at Fort Hood, which among other things is a popular place for hunting, so a lot of folks come on to hunt—so the effort to have some sort of control over guns has to be carefully balanced, the need to come on and use it, but also the security of the post. The way that works and often works at a number of installations is this. If you live—well, first of all, all weapons issued by the United States military to its personnel are locked in the armory if you're enlisted or officer or what have you. They're secured. So on the day of the event, the only armed person on the scene until those who were part of the security force arrived was the perpetrator.

The policy works this way there. If you live in the barracks, then your privately owned weapon must of course be owned—properly registered in accordance with State and Federal law and the like, but also need to be registered with the commander so that they know what's there. If you live in the barracks, it is also secured in the armory. If you live in personal quarters on the base, properly registered with the commander, but you keep them in your home. If you live off the base, the only requirement is that they be registered in accordance with State and Federal law, because you don't have them on the base. If you bring them onto the base, previously there was no way to know when that happened if you were a card-carrying member of the armed forces, if you had your credentials.

Now there's going to be a requirement, and I guess there always was—you were subject—I'm sorry—to this same rules as anyone bringing privately owned weapons onto base: Let us know that you're bringing them on, right there at the gate.

What doesn't exist is any way in which bringing them on and concealing them, if you were a credentialed member of the armed forces, could have been detected. We really don't have the answer to how to deal with that, but we do know that it is a gap in the protection that was accorded to those that day.

We know one other thing. The policies vary from post to post. So the question we raised is simply this: Give some thought, DOD, as to whether you wish to have a DOD-wide policy with respect to the bringing and the use of private weapons on the post by those who are members of the U.S. military. Fairly straightforward.

Senator THUNE. And you don't prescribe that. What you've just described is the policy at Fort Hood?

Mr. WEST. Right. It varies from post to post.

Senator THUNE. It varies from installation to installation, and the suggestion is simply that DOD adopt some uniform—

Mr. WEST. Consider, consider.

Senator THUNE. Okay. All right, without getting into the details of that.

That brings me to another question, because you have described the timing of the incident. News reports have indicated that it lasted about 10 minutes. Your report said 2 minutes and 40 seconds after the initial 9-11 call installation first responders arrived, 1 and a half minutes later the assailant was incapacitated, which accounts for about 4 minutes and 10 seconds of the time line, which as you said, is almost superhuman in terms of response time. It really is remarkable and a great credit to those who responded.

But could we assume then that there was a time period before they got there, if in fact—I think you said 7 or 8 minutes.

Mr. WEST. That was our best estimate, but for the very reasons you pointed out, we're not so sure. We just stated the best estimate.

Senator THUNE. Okay. Which is still a significant amount of time, and there are—I guess the question is a follow-up to the previous question. But if the soldiers would have been armed at the time, in other words allowed to carry small firearms, in your opinion could more lives have been saved?

Mr. WEST. Might as well give an answer—

Admiral CLARK. Well, they're soldiers. If they had been carrying their weapons around on them, it would have been different. How different? How can I tell you? What would the time line have been? But of course it would have been different.

Mr. WEST. What I was hesitating about is that I thought this was a natural lead-in to the active shooter program as well, which Admiral Clark spent some time talking about. Well, maybe we didn't go into it in detail, but the answer to your question is armed service members could probably have done so. The difference, of course, is security personnel trained to take down someone in those circumstances differently, and in two ways.

In the past the practice has been clear out all the innocents, those who are unarmed, those who are being assailed, and then you take down the shooter. That has been the practice for law enforcement agencies throughout the United States as well. But there has been the advocacy of the response to active shooter program, which is more and more becoming the response, which is: Train your people, your security people, well with firearms and then go in and as your first priority take down the shooter before he or she can do more damage to those who are there.

But the risks are obvious and that's why the emphasis is on training. The FBI, who are the experts on this, have cautioned that you really need a carefully selected and well trained force to do that. It was done at Fort Hood.

Senator THUNE. And they performed extremely well.

Admiral CLARK. May I add one other point? My response was brief, almost to the point of being brusque, and I don't want to—let me just add. It would have made a difference, but if I was a commander would that be the first thing that I did, was to arm all the people on the base? That's not what I would do. Would it make a difference if some portion of them were armed? Of course it would. But the reason I wouldn't just summarily arm everybody is because of the fact that it would so change the environment that

we live in. I don't think that's the immediate solution to good order and discipline.

Senator THUNE. Well, I guess in response to that, if in fact there is going to be some consideration given to a policy, a Department-wide policy with regard to firearms, I would hope it would not be more restrictive, because I do think these are soldiers. These are people who are trained. Clearly, if anybody would be prepared, probably not trained exactly in emergency response, but people who would be trained and prepared and equipped to effectively use a firearm to save other lives, it would be someone in the United States military. That's my observation.

So I have some other questions, but I'm out of time. So thank you all very much.

Chairman LEVIN. Thank you, Senator Thune.

Senator Burriss.

Senator BURRIS. Thank you Mr. Chairman. Mr. Chairman, may I go on record as also objecting to the comment that was made by the distinguished Senator from Oklahoma in reference to profiling.

I also want to commend the two distinguished public servants here, one of whom I've known since he was a freshman at Howard University, and to see him move through the ranks and commit all of this service to America is what I anticipated when I saw him as a freshman when I was in law school at Howard, and then of course seeing him graduate also from Howard Law School. So, Secretary West, you have done a tremendous job for the people of America and we are very, very grateful to you for that.

Mr. WEST. Thank you, Senator. Your own lifelong record of public service is quite distinguished and I consider your compliment that much more valuable. Thank you.

Senator BURRIS. Admiral, I appreciate your service as well. I just didn't attend school with you.

I am really seeking to see how we get at the major problem that you were tasked to do. I had other questions, but the hearing has just provoked some other thoughts. Mr. Secretary, you mentioned the fact that when you take an oath of office in the military—and I'm just wondering whether or not there's a different standard under the constitutional rights that you have after you've taken the oath of office. It's something I may have been missing because I've never been in the military, and I just want to know whether or not a person who has taken an oath, there are different standards that they are held to, for example the free speech article or the right to bear arms article, which was brought up by Senator Thune. Could you comment on that, please?

Mr. WEST. I will, and then I think you'll be interested to hear the views of someone who has commanded at every level and has had to give these instructions to his officers and those serving under him.

But years ago I was the DOD General Counsel, so we tried to remain conversant with this for obvious reasons. I was a JAG officer as well. The basic rule is stated: Servicemembers, whether they are officers or enlisted, who come into the services are still citizens of the United States. They do not give up their basic constitutional rights and protections. They get to speak, especially when they're on their own time and not in uniform, freely. They get to associate

under the same circumstances. They are entitled, if they are accused of criminal activity while on active duty, to a trial with a number, a number, of the constitutional protections, not all, because, as I think Admiral Clark observed, they do agree when they take the oath of office to put some things, as he said, on the shelf. For example, when they're in uniform they can't just say anything they darn well please.

I may have said it too boldly. There are lots of things you can add in, qualifications. But it's just a fact of life and, frankly, when they're on active duty in uniform they can't just go anywhere at any time to do whatever they please. They are under orders. They are under obligations, either as officers or as NCOs, to respond as they are directed, to carry out their orders fully. They represent this country as well as serving it.

Now, I've said that way too broadly, I'm sure. But I think it gives an overlay. It says yes, they don't ever stop being citizens, they don't lose their constitutional protections, but there are some limits that can be imposed on them under lawful military authority.

Admiral CLARK. Secretary West said all of that like the true veteran that he is. It was absolutely perfect. I would just add that, so let's say we're having a time—it's the political season and people are running for office. A member of the armed forces is not allowed to show up there in uniform. Now, if they choose to do so—and I'll use my words very carefully—they will be counseled, to be sure. I would say they'll probably be part of a short but exciting conversation, is the way I might put it.

There are other areas. When we're overseas, the first thing we tell our sailors is: Remember, you are ambassadors of the United States of America. We put limits on the kind of things that we expected them to do and things that we clearly expected them not to do. So those are the things that we are speaking to, and certainly, as Secretary West said so correctly, basic constitutional rights are never in question.

Senator BURRIS. Thank you, Admiral.

Another general question that's running through my mind. Now, in your work in this short period of time did you seek to assess other violent acts that may have taken place on military bases, on American soil or military bases, say the incident in Iraq where one of the soldiers supposedly snapped and killed fellow service persons? Did you look into any of that?

Admiral CLARK. Absolutely. Team one went into great detail of policies across the board. They're the group that reviewed over 30,000 pages of instructions and policies. It was incredible. We called this the omnibus team. It was an unbelievable task that they had. They used as a frame of reference to look into these special cases and say, now are there weaknesses here? Because the Secretary of Defense asked us to look for weaknesses in policies and programs and procedures and gaps. So we looked at those, and basically we found that—this instruction, by the way, that I hold in front of me has extensive detail about the questions you raise about the things that you can and cannot do. In other words, the prohibited activities are outlined here.

But our team used those particular cases like you cited as a springboard and said, are the policies adequate? Fundamentally,

what we're reporting is that—and let me inject this thought. We know that you can't legislate perfect behavior. That's not possible. So the question is are the policies fundamentally sound? The areas that we have put a focus on in the report, specifically this internal threat is the area where we see the greatest need.

Senator BURRIS. I just wonder, gentlemen, whether or not in your assessment and in your report we're trying to get at something through procedures that is almost impossible to prevent. It's similar to a suicide bomber, as I would see it, a person who is willing to commit his own death. And all the policies and procedures that we would put in place, all the corrections—for example, Mr. Secretary, if you were to have some type of procedure to go on base, whether or not you bring your private arms on base or not, what happens if the commanding officer was to have a problem? Do you think that the MP is going to stop a commanding officer at the gate and search him for his own private weapon and determine whether or not, if he's bringing that weapon on base, if he is determined to make some type of violent act or statement?

I just bring that up as a result of our attempt to try to get procedures that are going to be in the place that would seek to prevent someone from doing such a violent act.

Mr. WEST. That's a very pertinent observation, Senator Burris, and it is exactly on point. It is why we have emphasized in our report that we can't rely solely on stopping someone at the boundary. We have to have looked for the signs, for the hundred-yard stare, for the examples of tensions or difficulties even in a personal life, for the—and we can do this if they use government facilities—for the communications with extremist persons or organizations on a repeated basis.

We can look for all those signs. We can look for the signs of drug abuse because—and I mention that so often because there is some literature that our team found—team one, incidentally, has its report in chapter 2. We looked for those signs—that say that past drug abuse, even when corrected, is often linked to later outbreaks of violence. So we have to look for what Admiral Clark discussed in his opening statement as the behavioral cues and indicators, and we must do that over the course, say, of the colonel's service, to find them early enough so that it doesn't get to the point that he brings his weapon onto there base in some crazed effort.

Now, that is the thrust, frankly, of the entire report, and thank you for getting right to the heart of it.

Senator BURRIS. Senator—I mean—Mr. Secretary, the question is can this and will this happen again? God knows we don't want it to. But think about it.

Thank you, Mr. Chairman. My time is up.

Chairman LEVIN. Thank you, Senator Burris.

Senator LeMieux.

Senator LEMIEUX. Thank you, Mr. Chairman.

Secretary and Admiral, again to add to my colleagues', thank you for the work that you've done. Thank you for your past service. Thank you for this service.

I also want to extend my condolences to the families of the Fort Hood soldiers who were killed. We're keeping them in our thoughts and our prayers.

I want to, first of all, just state that I think we all agree, and your report certainly says, that this was a failure on the front end. We commend the first responders for their fantastic work, but this was a failure. I don't want to belabor that, because I think it's been talked about, Mr. Chairman.

But there's a Houston Chronicle article of yesterday, Richard Lardner and Calvin Woodward, that I'd ask be submitted for the record, which I think details a lot of the failures in monitoring Major Hassan along the way, and that something should have been done to prevent this.

Chairman LEVIN. It will be made part of the record.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator LEMIEUX. Thank you, sir.

What I want to talk about is three things, and there are questions for you. The first one is to follow up on what Senator Thune was talking about concerning soldiers on the base carrying weapons. This struck me as well because I recently this past week went to four military bases in Florida, from Naval Air Station Pensacola, to Tindall, to Eglin, to Hurlbert Air Force. The thing that you notice different than going to a military base in a theater of war, like going to Bagram Air Force Base, is that the soldiers and the airmen and the sailors aren't carrying weapons. But when you're at Bagram you see half of the servicemen and women carrying their weapons.

I don't think that this would have happened potentially at Bagram Air Force Base, for two reasons. One is there would have been a huge deterrent to Major Hassan if he knew that the other soldiers were carrying weapons. The second thing is, if it would have happened, to follow up on Senator Thune's point, that 4 minutes of time or whatever the period was where there was no first responder there, one of our service members I am sure would have picked up their weapon and fired back.

I hope that you will in your continuing work stress this to the Secretary of Defense, because, while I understand the Admiral's point about order on the base, there is probably a sweet spot here where some of the folks on a base, even in the United States of America, should be carrying weapons, maybe where there's going to be large groups gathered, I guess like where this processing center was happening.

So I don't know if you have any further comments on that. You've already answered Senator Thune's question, but I want to make that point. Mr. Secretary?

Mr. WEST. I have a comment, and that is this. It has happened overseas where people have been carrying weapons. We've had incidents in which a soldier has gone berserk and started shooting and there were weapons around him; it didn't stop it.

Second, let's assume that everyone's able to carry weapons, say at Fort Hood. Well then, for a committed person it wouldn't have been necessary to smuggle them in to use them.

Then thirdly, I guess—well, no. I think firstly and second is enough. If the Admiral wants to add a thirdly, I will let him.

Admiral CLARK. I don't argue with your fundamental point. I would just say that as a commander I realized that I was respon-

sible for the creation of the environment. So the environment—the deployed environment is always different than the environment at home. So I think there are a lot of things that I could figure out how to do before I decided to arm every single human being on the base.

I don't discount at all your point about the degree of difficulty for a shooter. But I believe Secretary West has accurately responded. We have cases, to be sure, and we have been very careful not to define specific single-point dot solutions for these cases because, for starters, we did this in an extraordinarily short period of time. If we were going to then look at all the possible courses of alternative solutions for every one of the recommendations we made, we would have needed at least 6 months and not the short time we had.

Senator LEMIEUX. I understand that. I'm just saying that there's a general point. I used the term "sweet spot" for a reason, not that you would put a gun on every service man or woman's side, but that there be some thought about this point, because I do think that knowing that someone is bearing arms is a deterrent. Maybe it hasn't always been a deterrent, but it can be a deterrent. And it certainly might have saved 13 people. We don't know, but it might have saved some of them.

The second thing is, in terms of—Senator Collins is going to speak in a minute and her Homeland Security Committee, along with Senator Lieberman, has talked about the need for training for all service members in identifying signs of Islamic extremism. I wonder if we don't only need to encourage our service members to look for these signs and report them, but that we need to do more than that and require it.

I think about something that universities do. I didn't attend the University of Virginia, but I understand they have a very stringent honor code. The honor code can be broken in two ways: one, by violating it; and the second is failing to report that someone else violated it. I wonder for your consideration, whether or not we should make a suggestion like that, that you have an obligation as a member of the United States military that if you see something that is out of line, to report it. There, if I feel like in my service record I'm going to be reprimanded for not reporting something—none of us like to tell on our colleagues. It's human nature. But I also commend that to you as something you could consider, and if you want to comment on that I'd appreciate that as well.

Admiral CLARK. I think this is the kind of questions, all in pursuit of potential solutions, that the Secretary would think is going on, without suggesting whether one is the right solution or not. Phase two is to do the drill-down, and they couldn't do the drill-down on the whole breadth of things that we looked at—you know, 30-plus thousand pages of directions and policies and all of that. Our job was to put the spotlight on the key things that they could go do in a hurry. It's my understanding that's his expectation for phase two.

Senator LEMIEUX. The third and final point I have is, we've heard this phrase, "connect the dots." I heard it yesterday when we had a Commerce Committee hearing with Secretary Napolitano and Director Leitner about the Christmas Day bombing attempt. That's, obviously, the great struggle, is connecting the dots. You

mentioned, Admiral, perhaps having some other special unit or division of people who would try to do that.

That seems to be smart to me, that you have someone who's going to look through all of the information, not be tasked with maybe other jobs, but be tasked with trying to—I don't know if it's an internal affairs function or of it's just a function to make sure that someone is out there looking at these reports that are filled out on different servicemen. I know there's a lot of people in the United States military.

But we have really good technology in this country, technology that's being used by the private sector. I don't know if these reports are scanned. I don't know if they're entered on a computer. I don't know if someone can use cloud computing and some of these new techniques to do searches.

We've failed again on the almost terrible tragedy on Christmas Day because of a misspelling of a name and other things that failed in our intelligence and the way that we process, gather, and evaluate intelligence. One thing I just might commend to you in your further discussions with the Secretary is, if you do establish one of these units, talking to people in the private sector who develop this wonderful technology and see if it might be an aid for helping keep our service men and women safe.

Admiral CLARK. May I comment? We say in the report that we've been having arguments about who owns what pieces of information. We've been having those discussions long enough. It's time to move on. So without defining what that solution is, I don't know how a commander can possibly connect the dots if he doesn't have all the dots in his dot kit. "Dot kit" may be the right term.

But also, I bring attention to this point. We told the Secretary this isn't just inter-agency. This is inside the Department as well. Challenge the assumptions on who has all of the pieces of information. The commanders will be better equipped and we know how brilliant they are when they're given the tools.

Mr. WEST. Actually, I think the organization that you're thinking about that we recommended was one that's designed to collect all the indicators, keep them catalogued, update them regularly, and make them available to commanders and those who have to make decisions. Your idea has I think to do with connecting dots on specific individuals, where those things come up. That's an interesting concept and it's not one that we necessarily focused on. Thank you for that.

Senator LEMIEUX. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator LeMieux.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman. And thanks very much to Secretary West and Admiral Clark for the service that you've given in doing this report, and of course throughout your lives. The attack of November 5 was a tragedy and we're very grateful for the efforts that you've made along with the Department of Defense personnel working with you in this review to ensure that such a tragedy doesn't happen again.

The Homeland Security Committee—and Senator Collins and I are here—has been investigating the Fort Hood shootings to assess

the information the government had prior to the shootings and the actions it took in response to that information. I can tell you that, even at this early stage of our investigation, it's become apparent to us that the Department of Defense's approach to the threat of service members who adopt a violent Islamist extremist ideology needs to be revised.

Senator Collins and I sent a letter last week along those lines to Secretary Gates. I know there's sensitivity on this about the other Muslim Americans who are serving honorably in our military, but I honestly think that a more focused approach, an open approach on Islamist extremism, will protect the great majority, overwhelming majority, of Muslim Americans serving in the military, who are serving honorably, and will maintain the bonds of trust that are so necessary in a military context among service members of all religions.

It seems to me in the Fort Hood case that there were many indicators that Nidal Hassan was motivated to commit these murders in furtherance of his own violent Islamist extremist ideology. But I must say respectfully that your report only tangentially mentions that particular threat. In contrast, your review recommends generally that the Department "identify common indicators leading up to a wide range of destructive events, regardless of the individual's identity." There I'm quoting.

I understand again the Department of Defense's need to be sensitive to the religious beliefs of all its service members and employees. But I think it's also critically important, and I don't see it in your report, as much as I admire so many of the recommendations you've made, that we recognize the specific threats posed by violent Islamist extremism to our military.

So I wanted to ask you first how you think the Department and the services should address the specific threat of violent Islamist extremism and if you want to respond to my concern generally about this. I will add that I remember being disappointed, troubled, after the Fort Hood murders when General Casey's first response described the incident as a force protection failure, which I suppose in one sense it was. But it was also a terrorist attack in my opinion. And to a certain extent the title of your report, "Protecting the Force," continues that emphasis, as opposed to a focused emphasis on the problem we're facing now, just as we focused earlier, after Fort Bragg, on the very real problem explicitly of white supremacist extremism.

So I welcome your response generally and particularly.

Mr. WEST. I was the Secretary of the Army at the time of the Fort Bragg, Senator, and because I was given a little more leeway I was the one who ordered the review that occurred. We operated under the same constraints then that—the folks we appointed operated under the same constraints then that we operate under now. That is, they had an ongoing military justice investigation and in fact, because the victims were civilians and the acts occurred off post in Fayetteville, still to this day one is struck. I mean, the service members required two civilians to kneel and shot them execution-style.

So there were several, multiple criminal investigations, and so that task force that we appointed could not get into what might

have been criminal aspects or anything that would have imperiled the trials. We operated under that same constraint.

Senator LIEBERMAN. Okay, so that's the reason you thought you couldn't be more explicit about Islamist extremism?

Mr. WEST. Well, what we had to say, a lot of it is in the restricted annex. But no, I think the second—to your point—second point we had is, respectfully, yes, it was and yes, it is a force protection issue. That is the way in which it was handed to us and that is the way in which we had to approach it.

In that case, it is every kind of extremism, every kind of opportunity for violence, that we, if we're going to have this one shot, Admiral Clark and I, to make recommendations to the Department of Defense, have to be sure to cover. So yes, we went for indicators, for cues and the like, but we did not exclude any source of violence and we specifically did not exclude the source that comes from radical Islamic belief associated with the actions that go with it.

Admiral Clark has some thoughts I know he wants to add. We talked about it more than once. So I'm going to stop here, but that's my brief oversight of how we approached it.

Senator LIEBERMAN. Let me just, before we go to Admiral Clark, just follow up while I'm thinking about it, because after those heinous murders at Fort Bragg in '95 the Army, as General Keane testified to us, issued a pamphlet, training materials, that are quite directly oriented towards supremacist activities and other racial extremism, and specifically detailed some of the key indicators to look for in white supremacists, which I thought was exactly the right thing to do, of course.

I guess the question now is do you think the services should issue a similar type of pamphlet with the same kinds of recommendations to address the threat of violent Islamist extremism, because that is the reality. Of course—do you want to respond to that?

Mr. WEST. Only that I think you make a good point.

Senator LIEBERMAN. Okay, thank you.

Admiral, please.

Admiral CLARK. Good to see you again, Senator.

Senator LIEBERMAN. You too, Admiral.

Admiral CLARK. In my opening statement I talked about violence and I made the point that some have indicated that we did not address the kind of violence that you're speaking to, radical Islamic fundamentalism and the behavior that goes with that. The point that I made is, yes, we did. Because Secretary Gates wrote us a set of terms of reference that talked about violence in the workplace and the people, including people hurting themselves, we decided to go after it in that way.

But we used the term "radicalization" and "self-radicalization" dozens of times in the report, which we intended to make clear we're talking about every kind of violent behavior, including this. Then we go on to then specify in our recommendations—and I made the point about, here's the Department of Defense directive that talks about prohibited activities. Our point is this document is inadequate to the task when dealing with self-radicalized individuals.

So that's what we're talking about. I could not agree with you more completely that we need the outreach program. "Outreach," I mean we've got to reach out and let people know what the positions are and where the red lines are in behaviors, and then with that goes all of the training that you talked to. So I made that a matter of my prior testimony and I'm in complete alignment with that view.

Senator LIEBERMAN. I appreciate that clarification. In my opinion, because—of course there's a concern about force protection generally. But because this is a unique new threat we're facing, I think the more explicit we are about it the clearer it's going to be and the better off we're going to be, because, as somebody said, some of the regulations earlier had to do with almost Cold War scenarios, and then the obvious response to the white supremacist killings. And now, unfortunately, we've had now two cases, Akbar in Kuwait and Hassan. Unfortunately, the way things are going, we'll probably have some more. So for the protection of the force, I think we have to be really explicit about what this threat is.

My time is up. Thank you.

Chairman LEVIN. Thank you very much, Senator Lieberman.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Gentlemen, it's good to see you both. Thank you for your continued public service.

Senator Lieberman, the chairman of our Homeland Security, has asked exactly the questions that I planned to ask, which is not a surprise because we've been working together on the whole issue of home-grown terrorism and the threat of Islamist extremism.

I do want to follow up a bit on the point that Senator Lieberman just made, because I was struck when I read the public part of your report by the decision to omit the term "Islamist extremism" from the public report, and it troubled me. It troubled me because it appeared to contrast sharply with the approach that DOD has taken in the past. Your report recommends that the Army focus on a broad range of motivations for violence rather than focusing on specific causes. But that's not what the Department and the Army did after the racially motivated murders associated with Fort Bragg back in 1995. The 1995 guidance is striking because it squarely faces the problem, and I believe that's why it was so effective. It sent a clear message that white supremacists had no place among our troops.

I believe we need to send a similarly clear message. Indeed, in 1996, in response to the Fort Bragg incident—and obviously, Mr. Secretary, you're more familiar with it than I since you were involved in correcting the problem at the time—but in response, commanders were specifically advised to be aware of "indicators of possible extremist views, behaviors, or affiliations." They were told to look for specific signs, such as reading materials or the use of a personal computer to visit extremist sites. These signs were geared toward identifying white supremacists within the ranks.

What Senator Lieberman and I have suggested in our letter to Secretary Gates is that same kind of focus, squarely admitting what the problem is. So my worry is that the perception of your report for those who only get to read the public part will be that

we're not facing the problem squarely the way we did in the mid-1990s. And it worked. The guidance was excellent. It involved training our commanders or enlisted troops, and it appears to have been very successful.

So, without presuming to speak for my chairman, Senator Lieberman, that's what we're suggesting, that we squarely face this threat to our troops.

So I would end what I realize has been more of a comment than a question by urging you to more explicitly address this specific threat. It doesn't ignore the fact that there are other sources of violence. But in fact, family violence, suicide prevention, sexual assault, all extremely important priorities for us, but they are different in their nature than the threat from Islamic extremists.

So I'd ask you to comment particularly on whether we should have specific training to recognize the signs of radicalization in this area. Mr. Secretary and then Admiral Clark.

Mr. WEST. Well, it's almost impossible to have a comment, Senator. That was a very powerful statement, along with Senator Lieberman's statement. You of course put me a little bit under the gun by pointing out that that's what we did in the Army when that occurred.

I won't even spend time on the distinctions. I think there are some clearly. Being a white supremacist carries no overtones of constitutional protections of any sort, whereas a religion is always—I know I'm going to be accused of being PC here, but so what—is always an area where we have to go carefully.

For example, religious extremism, violent aggressive religious extremism, is a source of threat to our soldiers, sailors, marines, airmen, Coast Guard personnel, whatever the religious source. We need to be careful, and we tried to be careful when we did this, to make sure that we turn the military's attention inward, since the person that was quoted earlier as having talked about the Cold War, that was Secretary Gates. What he was pointing out was something we said, which is we have been focused on the external threat. Well, now we have to look at the internal threat, from within, from one of our own.

As I said before, this is our one shot at it, Admiral Clark and I, and we want to make sure that we look at the indicators, and religious extremism, whatever its source, is an indicator, and there are a whole bunch of things to look at. I think that description is right. The fact, as you both make it, that it is Islamic religious extremism, I think it is a point worth making. I think the Secretary and everyone will hear it and they will react accordingly. But that becomes part of the history of this discussion.

Senator COLLINS. Admiral Clark.

Admiral CLARK. It's so nice to see you again, Senator. It's been a privilege for me to be engaged working on this task. When the Secretary of Defense asked me to do this, I did so because I believed it was so important.

Let me say that within 5 minutes of it going public that I was going to co-chair this task force with Secretary West, my very good friend General Jack Keane was calling on the phone and telling me in great detail—I was driving down the road and on my cell phone, and he was explaining to me how they did it. He happened to have

been in command down there at Fort Bragg and I was commander of the Second Fleet and we were friends and worked together down there then.

So I've been mindful of his point of view on this since the very, very beginning and was in complete alignment with it.

To build upon my response to Senator Lieberman, I'm just going to give you Vern's view here. We talked about this a lot, how do we shape this. And if we shape this as—if the report was full of reference to radical Islamic fundamentalist activity and behavior, some people would have read it that it was going to be all about that. The Secretary of Defense clearly gave us another task. He gave us the task to deal with violence in the workplace across the board, and because he did we made the decision that we were going to handle it the way we have presented it, but when questioned about—we frankly, Senator, didn't know how people were going to be able to misread the references to self-radicalization. We thought that that was going to be pretty clear, but maybe it wasn't clear enough.

Our focus then and one of our primary recommendations is the guidance on these behaviors is inadequate, and the way you make it adequate is you decide what the red lines are going to be, you inform your people, you do everything that you know how to do—and that's called training—to ensure that our people know how to respond. That's what those of us who've had the privilege to command are charged to do. We talk about officership in the report and so forth. That's what leaders do and that is what is required.

Senator COLLINS. Thank you.

Chairman LEVIN. Thank you very much, Senator Collins.

I was listening to Senator Lieberman and Senator Collins with the suggestion that we address a specific threat, since it obviously is a specific threat. It is appropriate that our leaders be directed as to how to address that threat, just the way they were, I guess, in the 90s with the white supremacists, but to make it clear and to make it certain that it's not viewed as an anti-Muslim effort, but rather an effort to address—and to address violent extremism, radical Islamic extremism, it would be very essential, it seems to me, wise that people who were involved in preparing that kind of instruction include Muslims, because obviously that would be important in terms of knowledge of the threat, but also important in terms of making it clear that is not anti-Muslim. 99 percent of Muslims are not people who are engaged in these kind of activities, and to make it clear it's not this kind of an effort, which I think is a legitimate effort, that Senator Lieberman and Senator Collins talk about. That is a legitimate effort to make it clear that it is not aimed at Muslims, but aimed at violent Islamic radical extremism, and it's important that Muslims be significantly involved in that direction.

I was wondering if Senator Lieberman or Senator Collins might want to comment on that suggestion.

Senator LIEBERMAN. Mr. Chairman, I think that's an excellent suggestion. In some ways you've given voice to it. But it would be a real omission, as I hear you talk, if it wasn't done, in other words if Muslims weren't involved.

You know, one of the things in this fact situation that troubles me, and I suppose why I feel like we have to talk explicitly to one another about this threat, including most of all to have in the conversation Muslim Americans. Obviously, as Senator Levin said, 99 percent plus are not extremists or terrorists.

I worry as I look at this fact situation in Hassan's case that part of the reason that commanders and others who after the attacks at Fort Hood were spewing out to the media these signs that looked back and said he showed he was really turning in a very extremist, anti-American direction, that people didn't voice them or record them because of political correctness and, even more than political correctness, the sensitivity that we all have about religious discussions.

But the truth is, the best thing that could happen here, it's a great place for it to begin, in the military, is to have a real open discussion about this. Of course, for it to be a real discussion it's got to include Muslims, Muslim Americans. So I think your suggestion—in other words, I think that if Muslim Americans had been seeing—I don't know what the facts were about this—seeing some of the things that Hassan was saying at Walter Reed, for instance, I think they would have been alarmed, because this doesn't reflect what they think.

Therefore, Mr. Chairman, I think your suggestion is really an excellent one. Thank you.

Senator COLLINS. Mr. Chairman, if I could just respond as well. I too think that your suggestion is an excellent one and it's very consistent with the approach that Senator Lieberman and I have advocated on the Homeland Security Committee. In fact, in our letter to Secretary Gates where we suggest more training, we point out that updating the approach would help to protect from suspicion the thousands of Muslim Americans who are serving honorably in the U.S. military and help to maintain the bonds of trust among service members of all religions and enhance understanding.

So the steps that we have recommended would clearly benefit from the inclusion and active involvement of Muslim Americans, and that's what we intended. But I also think it has benefits for Muslim Americans serving, so that others service members have a better understanding of Islam. So I'm in complete accord with what you suggest and I think that is along the lines of what we were proposing as well.

I would ask that we share with our two distinguished witnesses today the recommendations that Senator Lieberman and I have made in our January 13th letter to Secretary Gates, because as you go forward with your work it may be of value to you as well, we hope.

Chairman LEVIN. Thank you. One other thing that it seems to me would be appropriate, and I don't know if you've addressed this, but it's sort of along this line: that our policies also should be very clear about why it is unacceptable, why it's not allowed, prohibited, to have taunting or harassment of people because of their religious views, as, according to the public record, occurred in the Hassan case.

I don't know if that's true and I can't comment on your annex, but it seems to me this is part and parcel. Religious tolerance does not mean tolerance for violence and extremism. It doesn't mean that, as I pointed out maybe an hour ago. That's not what we're tolerant of. But what we are tolerant of, and proud of it, is other people's religious views. As part of that, it has got to be importantly pointed out in the military that that means we do not accept taunts, graffiti about "ragheads" or what have you, about anyone's religious views. I don't know if that is part of your recommendations here, that that be clear as well in terms of guidance, but it seems to me it's an important part of it.

Admiral CLARK. Well, let me address it. It's very well covered in the prohibited behaviors and activities.

Chairman LEVIN. You mean currently?

Admiral CLARK. Currently. It's very well spelled out. So I've spoken only to what's not in this document. This document, what's in this document is 100 percent right, and what we have said is this document does not have the piece in it regarding self-radicalized behavior.

Mr. Chairman, I so want to appreciate the fact that you have collectively recognized the very effective and loyal service of thousands of Muslims. Somebody accused me of being politically correct. I don't care. The way you said it is exactly right and I appreciate it.

Chairman LEVIN. One thing to make this even more complex. When we talk about connecting the dots, and we have to do a far better job of connecting the dots—I believe that's the greatest failure in this and the other incidents that we've been discussing in various committees—there are counter-indicating dots that complicate the work, including with Major Hassan. It's not just those dots which in my view would have made folks suspicious, had they known about it, of what his potential was, but there are some dots that go in the other direction in terms of—and these are in the public record—what his patients thought of him, which was very high. You got to throw those dots into the mix, too, for people who are going to be judging him.

You have a record here of a number of his assessments were not just negative—that should have been included in the record, by the way; I happen to agree with you totally—but there's also some highly positive, not politically correct for that reason, but positive, assessments of his capability.

I just think it's important that, since we're trying to take a general view of this, that while it's important, critically important, to do a far better job of collecting dots, that we also recognize in terms of the task in front of us that there are some dots that are going to be in that mix which make it very unclear what you do with the dots which seem to point in one direction, because there are some dots that point in the other direction, even with him. They've not been focused on, obviously, but there are some counter-indicators here which are fairly clear as well.

Finally, Admiral, you talk about reducing—"eliminating" I think is your word—the barriers, get rid of the barriers to information flow. I think generally you're right, and there's barriers here which clearly should not be there. So I agree with your premise. Are there

any barriers that you'd want to maintain, either privacy barriers or barriers—for instance, you talked about I think prior drug problem or an addiction problem which has been overcome. Some of that's not passed along now. If it's been overcome, I think there's some instinct in commanders that maybe we should just let certain things not be passed along which would unfairly perhaps hurt somebody's career path if they've overcome a problem.

Are there any barriers that you might want to keep?

Admiral CLARK. There may be, and if I was responsible for the policy review I would then look at all of the potential courses of action and make that kind of determination. But let me give you an example of the manner in which I might decide to handle the case you just suggested, because, as you correctly pointed out, by regulation there is some documentation that is not allowed to proceed from command to command.

We could figure out how to compartmentalize information. We do it in the intelligence world all the time. The briefer comes into the room with the material that's in the pouch, that only certain people get to see that information. It would be very possible to have information that might be vital to connecting the dots that is currently not passed, passed in a way that's compartmented so that a select group of people had access to the information.

I believe that that's inherent in achieving the correct balance, and nothing—Secretary West and I would not want anything that was said here to imply in any way that the balance between these issues isn't—it's very, very important. You have addressed it correctly. This is a challenge.

One of the hallmarks of the United States military is we grow and develop people. I mean, I've had dozens of these interviews with people: Okay, you're getting a new job, this is turning over a new leaf, this is the time to go get it. And we've seen people turn their lives around. This is one of the great things about our institution.

So clearly these are issues that the policymakers have to come to grips with. Our task was put the spotlight on policies, weaknesses, gaps, and that's what we have tried to do. I do believe that there may be places where barriers should be retained in some way.

Chairman LEVIN. Maybe for some purpose.

Admiral CLARK. For some purpose.

Chairman LEVIN. Maybe in a promotion.

Admiral CLARK. Exactly.

Chairman LEVIN. It's different from whether it's a strategic issue.

Admiral CLARK. Exactly. But what I'm suggesting is that people who are responsible for these policy decisions know what the vital dots look like, know where they come from. And as the report says and I said in my earlier testimony, the time is passed for us to be having these turf wars on who owns the information.

Chairman LEVIN. I think we couldn't agree with you more, and this is a major challenge for all of us in the Senate and the House and our committees and, even more importantly probably, for the Executive Branch.

Senator Lieberman, do you want to add anything?

Senator LIEBERMAN. No, thanks.

Chairman LEVIN. We thank you for all the work you're doing, not just here but on the Homeland Security. That committee is doing critically important work.

We're now going to move to a closed session of the committee. We'll meet in room 222 in Russell, our committee room. In accordance with restrictions placed on access to the restricted annex, attendance will be limited to Senators and committee professional staff.

We again thank our witnesses, not just for their work in this regard, but for their lifelong work on behalf of our Nation.

The committee will stand adjourned.

[Whereupon, at 12:00 p.m., the committee adjourned.]