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TERRORISM: RADICAL ISLAMIC INFLUENCE OF CHAPLAINCY OF THE U.S. MILITARY AND PRISONS

HEARING

BEFORE THE

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

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TERRORISM: RADICAL ISLAMIC INFLUENCE OF CHAPLAINCY OF THE U.S. MILITARY AND PRISONS

TUESDAY, OCTOBER 14, 2003

UNITED STATES SENATE,
SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:05 a.m., in room SD–226, Dirksen Senate Office Building, Hon. Jon Kyl, Chairman of the Subcommittee, presiding.

Present: Senators Kyl, Sessions, Feinstein, Schumer, and Durbin.

OPENING STATEMENT OF HON. JON KYL, A U.S. SENATOR FROM THE STATE OF ARIZONA

Chairman KYL. Welcome. This hearing of the Judiciary Committee Subcommittee on Terrorism, Technology, and Homeland Security will come to order. I thank you all for being here this morning for what I hope will be a very informative hearing. Let me make a brief opening statement, indicate who our witnesses today will be, and then call on Vice Chairman, Senator Feinstein.

In the 2 years since September 11, there have been numerous hearings, reports, and studies by Congress and outside experts. Many have focused on examining what led to our vulnerability on September 11 and what processes need to be reviewed or laws changed to avoid a repeat of that tragic day.

In reviewing the record of these hearings and reports, a clear picture emerges of how terrorists exploit a free society like the United States to conduct the wide range of activities necessary for effective terror operations. The relationship between these terrorists and foreign-based sponsors, states, and global actors also emerges and strongly suggests that the war on terror at home and the one abroad are in the deepest sense one and the same.

This seems self-evident, except for the fact that as a whole we do not approach it this way either analytically or operationally. Evidence urges that we begin doing so immediately, not least because the enemy long ago determined these fronts to be one war.

While the above hearing and report process was proceeding apace, so were two other things: one the activities of terror groups, their networks and supporters here and abroad, and, two, the ongoing efforts of U.S. foreign and domestic intelligence and enforce-

ment to monitor, interdict, and prosecute terrorists and their support networks.

If one engages in this sort of integrated analysis long enough, one could begin to anticipate, for example, what has emerged in the headlines in recent weeks in regard to both the Department of Defense and the Bureau of Prison chaplains.

Recent hearings by the Subcommittee on Terrorism have exposed the growing dominance of a radical sect of Islam in the United States. This sect, commonly referred to as Wahhabism, preaches jihad against Christians, Jews, and Muslims who do not tow the Wahhabi line. All 19 of the September 11 hijackers were followers of Wahhabism, as is Osama bin Laden.

This violent perversion of Islamic faith has been responsible for terrorist attacks against innocent civilians, both Muslim and non-Muslim, all over the world. There have been an increasing number of instances in which Wahhabists have successfully penetrated key U.S. institutions, such as the miliary and the our prison system.

As several recent media reports have noted, the two groups that accredit and recommend Muslim chaplains to the military—the Graduate School of Islamic and Social Science and an organization under the umbrella of the American Muslim Foundation—have long been suspected of links to terrorist organizations by the Federal Government. Another group accused of ties to Islamic extremists, the Islamic Society of North America, refers Muslim clerics to the Bureau of Prisons.

Earlier this month, one of the key architects of the U.S. military's chaplain program, Abdurahman Alamoudi, was arrested and charged with an illegal relationship with Libya, long a state sponsor of terror. Authorities have also charged Captain James Yee, a Muslim clergyman who was once stationed at Guantanamo Bay, Cuba, with two counts of mishandling classified information.

Additionally, the New York State prison system promoted a Muslim cleric to a position that allowed him to supervise the hiring and firing of all prison chaplains. He was later removed from his job when officials discovered he was an Al-Qaeda sympathizer who incited prisoners against America.

Jose Padilla, a terrorist accused of trying to build a dirty bomb to unleash in the United States, was exposed to radical Islam in the U.S. prison system. Richard Reid, the so-called shoe bomber, was converted to fundamentalist Islam while serving time in a British prison.

Today's hearing is the third in a series to examine terrorist ideology, support networks, and state sponsorship. As I said at the last hearing, to defeat the terrorists, we must understand their goals, their resources, and their methods, just as well as they understand our system of freedom and how to exploit that for their terrible purposes. In other words, we have got to continue to connect the dots.

Today, the Subcommittee will hear testimony from the FBI, the Department of Defense, and the Bureau of Prisons. To connect the dots, the Subcommittee will hear from Dr. Michael Waller, Annenberg Professor of International Communication at the Institute of World Politics. Dr. Waller will testify, among other things, to these three important points: one, foreign states and movements

have been financing the promotion of radical political Islam within America's armed forces and prisons. Two, this radical Islam preaches extreme intolerance and hatred of American society, culture, government, and the principles enshrined in the U.S. Constitution, and it seeks the ultimate overthrow of the Constitution. Three, terrorists have exploited America's religious tolerance, and the chaplain programs in particular, as key elements of infiltrating the military and the prisons.

In addition, we will hear from Mr. Paul Rogers, who is President of the American Correctional Chaplains Association, and he will be accompanied by Mr. A. J. Sabree, Treasurer of the American Correctional Chaplains Association.

I want to thank Senator Feinstein, and also Senator Schumer and their staff, for their work in helping to prepare for this hearing. And at this time, before calling upon the first panel, I would ask Senator Feinstein to make any opening remarks that she has.

STATEMENT OF HON. DIANNE FEINSTEIN, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator FEINSTEIN. Thanks very much, Mr. Chairman, and thank you for holding this hearing.

I believe there is cause for concern. I don't think we should jump to conclusions. I certainly welcome this hearing as a fact-finding hearing. I think there are some cases that have been made public that cause concern, and also provide a rationale for this hearing.

For example, we can look to the recent dismissal of Imam Warith Deen Umar, the former head Muslim chaplain for New York Prisons, who abused his position to promote Islamic radicalism there. According to Prison Legal News, Umar stated that prison, quote, "is the perfect recruitment and training ground for radicalism and the Islamic religion," end quote. That also gives us cause to take this look. He said that the September 11 hijackers should be honored as martyrs.

We should also note the fact that Richard Reid, the shoe bomber, was converted to Islam by a radical imam in a British prison, and there is evidence that Jose Padilla, who was allegedly sent to the United States to detonate a dirty bomb, was exposed to Islam during his many stints in American prisons.

In the U.S. military, there are 4,800 chaplains, 12 of whom are Muslim. I have seen no suggestion that, other than Captain Yee, any of these individuals is promoting radical Islamic beliefs or has any links whatsoever to terrorism. However, I understand that the military relies on two groups to certify Islamic chaplains—the Islamic Society of North America, as you have mentioned, and the American Muslim Armed Forces and Veterans Affairs Council.

I also understand that some have raised concerns about both of these groups. So I would like to inquire, and I believe you do as well, Mr. Chairman, why the military uses the ISNA and the AMF to certify Islamic chaplains and if there is any reason not to.

In addition, I believe that most U.S. military Islamic chaplains were trained at the Graduate School for Islamic Social Sciences in Leesburg, Virginia. This graduate school has been raided by United States Customs as part of an investigation into money being funneled to Al-Qaeda and other militant Islamic groups. While it is

true that no charges have been filed in connection with this raid, it perhaps does raise some questions about the hiring of chaplains trained at the school.

In the Federal prison system, there are 231 full-time civil service prison chaplains, 10 of them Muslim. Again, I have seen no suggestion that any of these individuals is promoting radical Islamic beliefs or has any links whatsoever to terrorism.

However, we know that several of these individuals in the Federal prison system were sponsored by ISNA, as well as the American Muslim Council. I would like to know why the Bureau of Prisons uses these groups to sponsor prospective Islamic chaplains and if any reason exists to use other groups.

Mr. Chairman, as you suggested, there are a number of questions that have emerged about how the United States military and Federal prisons select chaplains and who sponsors those individuals. So I hope that the witnesses today will help us answer these questions.

Chairman KYL. Thank you very much, Senator Feinstein. You hit the nail right on the head with the questions you have asked and, of course, we know that those are questions that the panel will want to address.

Senator Schumer, would you like to make an opening statement?

STATEMENT OF HON. CHARLES E. SCHUMER, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator SCHUMER. Thank you. I would, Mr. Chairman. First, let me thank you and Senator Feinstein for your leadership on this issue and making sure that we find out the answers to the questions that you and my friend from California have asked.

As we all know, the hearings come at a crucial time, as we continue to fight the war on terror, and I am glad that we have a diverse roster of witnesses with us here today on this important subject. Let me stress, I would like to hear all the sides to this. I know you have made efforts to invite all sides and some people have refused to come, but we are still making efforts to get everybody to come and answer questions, which I appreciate.

Generations of immigrants dating back to the first Americans have come to this land seeking to escape religious persecution, and we have honored this tradition by making freedom of worship one of our Nation's most sacred rights. Seven months ago, I wrote letters to the Inspectors General of the Federal Bureau of Prisons and the Department of Defense because I feared that at least when it came to those who practice Islam in the prisons and the military, those rights could be in danger.

I had discovered that the few groups charged with certifying Muslim chaplains in these institutions had several disturbing ties to a puritanical and intolerant form of Islam known as Wahhabism. The official state religion in Saudi Arabia, Wahhabism also provides part of Al-Qaeda's ideological foundation.

Far from endorsing the pluralistic approach to religious belief that we all hold dear, Wahhabism espouses an extremist, anti-Western, exclusionary religious doctrine, and denigrates other faiths, be they other forms of Islamic belief such as moderate Sunni, Shia, and Sufi Islam, or Christianity or Judaism.

I became concerned that these other forms of Islamic belief, peaceful, inclusive, spiritual ideals held by the majority of American Muslims, were not being given an opportunity to express themselves. So I asked the inspectors general to investigate the groups responsible for certifying the military and prison chaplains, and I told them in my letters that my own preliminary digging had uncovered some disturbing results.

One group, the ISNA, the Islamic Society of North America, had on its governing board a man named Siraj Wahaj. Mr. Wahaj is an unindicted co-conspirator in the 1993 World Trade Center bombing that the FBI now believes was master-minded by one of Osama bin Laden's top lieutenants. Why such a man would remain on the board for many years afterwards raises a whole lot of questions.

Another, the Graduate School for Islamic Social Sciences, is under investigation, and I understand the investigation is continuing, for terrorist financing. And the third, the American Muslim Armed Forces and Veterans Affairs Council, is a sub-group of the American Muslim Foundation, which is also under investigation for terrorist financing. They have the same 501(c)(3) number, and that means that the subsidiary group says it is doing the same thing that the parent group does.

Within a few weeks of having sent my letters, I received assurances from both inspectors general that they were examining the situation and would get back to me. Well, as I have said earlier, that was more than 6 months ago and to this day, despite numerous follow-up attempts, I have no idea of what has become of their efforts.

I want to be clear here. I am not saying these groups are filled with terrorists. Certainly not every member of the group is a terrorist. I have an enduring respect for the overwhelming majority of American Muslims, who are peaceful, hard-working, and patriotic.

Just this summer, my family and I took a trip to Spain, where we visited a large number of the old Moorish mosques, and the essential peacefulness and tranquility of the Muslim religion was apparent in the architecture, the beliefs, and the history that we studied there.

I am saying, however, that there is enough evidence to warrant an investigation of these groups to assess their pluralistic credentials and determine whether they should be advising, and certainly should be advising exclusively the Pentagon and the Bureau of Prisons on who should provide spiritual guidance to American soldiers and inmates.

In the 6 months since I have made this request, the case for an investigation has grown stronger, not weaker. News reports and experts who have testified before this Committee suggest that discrimination against Shia prisoners in Federal institutions is rampant and that Wahhabi literature is readily available behind prison walls.

Stephen Schwartz, the author of Two Faces of Islam, says Shia prisoners are unable to worship freely and may fear for their safety while incarcerated. We have heard of similar situations in New York State prisons incidentally, Mr. Chairman. According to Musin Alidina of the Alkowi Islamic Center in New York, Shia prisoners

send the mosque stacks of letters every month complaining of mistreatment. That is pretty serious.

Steven Emerson, the head of the Investigative Project, says Wahhabi literature makes its way into prison libraries, courtesy of the Saudi-backed Al-Haramain Foundation.

In June, the websites for the Navy and Air Force chaplains were found to have links to IslamWorld.net, a website that espouses Wahhabism. The site contained links to lectures by fundamental clerics, some of whom advocate jihad against the United States and denigrate Christianity and Judaism as forms of disbelief.

All of this seems to point in the direction of our worst fears. Rather than encouraging a pluralistic environment for Islamic belief, the chaplains program was promoting only a specific, narrow, and exclusionary agenda. And then on September 10, one Muslim military chaplain, Captain James Yee, was detained for having classified documents about operations at Camp X-Ray. We don't know the full details of the investigation of Captain Yee, but he was arrested and charged last week, and more serious charges may be forthcoming.

Almost lost in the tumult surrounding Yee's detention was another far more stunning revelation. In 2001, another Muslim military chaplain, Abdul Mohammed, traveled to Saudi Arabia for the haj with a number of other Muslim U.S. service members on a trip that was fully paid for by the World Muslim League. The World Muslim League is a known Saudi organization dedicated to front Wahhabism, and in 1996 the CIA identified it as a front for Al-Qaeda. What is such a group doing sponsoring American soldiers to go on a haj. Go on a haj, great. Why this group, and what happened there?

So it boggles my mind that someone the CIA identified as a front for Al-Qaeda would be allowed to pay for travel expenses of some of our active soldiers. Who knows who had access to our loyal service members while they were in Saudi Arabia.

Then there is more bad news coming from associates of the chaplains program. On September 30, the FBI arrested Abdurahman Alamoudi, the man responsible for starting the military's Muslim chaplain program, charging him with violating the Libya Sanctions Act.

Despite all of these developments, and despite all of the connections between Saudi Arabia, Wahhabism, and the organizations involved in the Muslim chaplain programs, I have not heard back from either the Pentagon or the Bureau of Prisons about the status of the investigations I requested over 6 months ago.

We live in a post-9/11 world. Everyone knows that. It is a world in which terrible events have taught us, taught my city, people I know, and myself, of course, that you can't be too careful. It is a world in which certain groups are sworn enemies of our pluralistic way of life, and it is a world in which we now know that incitement breeds hate that can sometimes give way to violence.

Does the evidence show that the organizations that endorse Muslim chaplains for our military and prisons are part of this movement? No, but evidence and revelations over the last 6 months show that there has been a lot of smoke surrounding these groups, and the IGs of Prisons and the military ought to find out whether

there is fire. At the very least, an investigation is warranted, and we sit here waiting and I at least sit here wondering why that is not occurring, at least in terms of the information that I have been given.

Chairman KYL. Thank you very much, Senator Schumer.

Senator SESSIONS.

STATEMENT OF HON. JEFF SESSIONS, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator SESSIONS. Thank you, Mr. Chairman. I salute you for your strong leadership and consistent leadership on this issue to deal openly and honestly with a problem that is very real. I know none of us enjoys the prospect of confronting the question of chaplains. It is something we would prefer not to deal with, but it is a very real problem, as evidence has shown us.

I have some remarks that I would put in the record, Mr. Chairman, but I would note that, as I understand it, in the appointment of a chaplain they have to be endorsed by a religious organization of some kind. That endorsement is critical to the maintaining of their ability to be a chaplain. I have a Methodist friend who is a chaplain. He maintains his connection with the United Methodist Church. If he loses that, he probably would lose his ability to be a chaplain.

So does that group who endorses have the ability to control or influence in a way that may be contrary to the interests of this country? I think we have a right to ask that and I look forward to the hearing.

Chairman KYL. Thank you very much, Senator Sessions.

Just as a preliminary matter, to show just how this terrorism can reach every one of us, we noted the 1-year anniversary of the Bali bombing just a year ago. I would note with sadness that Sunday was the first anniversary of Professor Mike Waller's cousin's death, Ed Waller, who was killed in the Bali bombing last year. I hope that after the first panel, you will be interested in the testimony that Professor Waller and the other panelists will provide in the second panel to help paint the picture here of what we are trying to deal with.

With that, let me introduce the panel that will first testify. John Pistole began his career with the FBI in 1983, and since that time he has held a number of important positions in the FBI, including Assistant Special Agent in Charge at the FBI's Boston office. In September 2003, Mr. Pistole was appointed Assistant Director of the Counterterrorism Division. That is obviously the point of his testifying here today, because in that position he is responsible for directing the FBI's counterterrorism efforts.

Charles Abell, with the Department of Defense, was appointed by the President as Principal Deputy Under Secretary of Defense for Personnel and Readiness on November 15, 2002. He is the primary assistant to the Under Secretary of Defense for Personnel and Readiness, providing staff advice to the Secretary of Defense and Deputy Secretary of Defense. Before joining the Defense Department, Mr. Abell served as a professional staff member of the Senate Armed Services Committee and was lead staffer for the Subcommittee on Personnel. He entered active-duty service as an en-

listed soldier and concluded his Army career by retiring as a lieutenant colonel.

Director Harley Lappin, of the Bureau of Prisons, joined the Bureau of Prisons in 1985. He began his career as a correctional treatment specialist at the Federal Correctional Institution in Texarkana, Texas, and held a variety of positions at eight different Bureau of Prisons locations around the country. In July of 2001, Mr. Lappin was promoted to Regional Director for the Bureau's Mid-Atlantic Region and became the Bureau's seventh director on April 4 of this year.

Clearly, we have the people who can answer the questions that have been provided here and I am delighted to welcome all of you to be with us today. I thank you very much.

John Pistole, we will start with you, sir.

STATEMENT OF JOHN S. PISTOLE, ASSISTANT DIRECTOR, COUNTERTERRORISM DIVISION, FEDERAL BUREAU OF INVESTIGATION, WASHINGTON, D.C.

Mr. PISTOLE. Good morning, Chairman Kyl. Thank you. Vice Chair Senator Feinstein, Senator Schumer, Senator Sessions, thank you for the opportunity to be here this morning to talk about a couple of things: first, the FBI's role, in close coordination with the Federal Bureau of Prisons, in the prevention of terrorist recruiting within the Federal Bureau of Prisons system, and, second, as to the FBI's role, in concert with the Department of Defense, in the assessment of the translators and chaplaincy program within the Department of Defense as to the ramifications of what that may mean from a counterterrorism perspective.

As the Subcommittee is well aware, the FBI has changed our focus following the events of September 11, where we have made counterterrorism our top priority and redirected resources accordingly. The emphasis has been placed on inteligence, with prevention of future terror attacks as our overriding goal.

Counterterrorism investigations have become intelligence-driven, meaning that the criminal investigations into terrorist activity are considered tools to achieve disruption, dismantlement, and prevention. The collective assessment of the intelligence community, including the FBI, is that Al-Qaeda remains the greatest terrorist threat to the United States and our allies' interests around the world. We believe Al-Qaeda is seeking to recruit individuals within the United States, as demonstrated by their training manuals and detainee interviews.

Some of these terrorists seek to exploit our freedom to exercise religion, we believe, to their advantage by using radical forms of Islam to recruit operatives. Unfortunately, U.S. correctional institutions are a viable venue for such radicalization and recruitment.

This not something new. Other extremist groups have also followed this blueprint. Since 1979, the Bureau of Prisons, along with the FBI, have been aware of the Aryan Nation, a violent neo-Nazi white supremacist organization that has been engaged in prison recruiting. It is an important aspect of the Aryan Nation's agenda, given that many of its members are serving lengthy prison sentences.

The Aryan Nation conducts extensive prison outreach through correspondence from area chapter members. Their leaders visit prison facilities specifically for the purpose of recruiting members, promoting racial intolerance and hatred, and spreading neo-Nazi propaganda. Terrorist sympathizers, we believe, do the same.

Senator Feinstein mentioned one such instance involving Warith Deen Umar, the former administrative chaplain for the State of New York Department of Corrections. A radical Muslim, Umar denied prisoners access to mainstream imams and materials. He sought to incite prisoners against America, preaching that the 9/11 hijackers should be remembered as martyrs and heroes. Umar has since been banned from entering the New York State prisons and the Federal Bureau of Prisons.

To assist in ferreting out potential radicalization issues within the Federal Bureau of Prisons system, the Bureau of Prisons maintains a presence on the FBI's National Joint Terrorism Task Force here in Washington.

Recruitment of inmates, we believe, within the prison system will continue to be a problem throughout our country. Inmates are often ostracized, abandoned by, or isolated from their family and friends, leaving them susceptible to recruitment. Membership in the various radical groups offer inmates protection, positions of influence, and a network they can correspond with both inside and outside of prison. Several examples have been mentioned here this morning already.

Turning to the Guantanamo Bay issue, the FBI is working directly with the Department of Defense on the issues surrounding the recent arrest or a translator on July 23 in Jacksonville, a chaplain on September 10, and another translator in Boston on September 29. The FBI considers these matters to be potentially serious breaches of national security and will continue to work jointly with the Department of Defense in order to successfully resolve these matters and limit the damage they may have caused.

The FBI is also working with DOD and BOP to assess the mechanisms and protocols by which chaplains and translators are vetted for employment, as has been mentioned. In addition, the FBI is evaluating the protocols for ongoing security assessments of such employees during sensitive assignments, such as more frequent polygraph examinations.

In conclusion, we all recognize that terrorism represents a continuing global problem. Part of the solution, we believe, is grounded in what we have experienced since September 11, which is unprecedented domestic and international cooperation and coordination. The threat terrorism poses must always be considered imminent. We must constantly look at improving ways to gather, analyze, and disseminate intelligence. In forging partnerships with local, State and Federal law enforcement and correctional agencies, the FBI has made considerable progress toward achieving and implementing these goals.

Again, Chairman Kyl, Vice Chair Feinstein, I appreciate the opportunity to appear before you today. Thank you.

[The prepared statement of Mr. Pistole appears as a submission for the record.]

Chairman KYL. Thank you very much, Mr. Pistole.

Charles Abell.

STATEMENT OF HON. CHARLES S. ABELL, PRINCIPAL DEPUTY UNDER SECRETARY FOR PERSONNEL AND READINESS, DEPARTMENT OF DEFENSE, WASHINGTON, D.C.

Mr. ABELL. Thank you, Mr. Chairman, members of the Committee. I would like to talk to you today about officership and professionalism in our armed forces. There is no aspect of our officer corps more central to the success of the U.S. military, and this is true whether the officer be an infantryman, an aviator, a chaplain, doctor, or lawyer.

The levels of integrity and personal conduct required of an officer are high, and with good reason. Officers may be required to make decisions affecting millions of dollars. More importantly, their judgment and decisions may mean the difference between life and death for the troops with whom they serve. A ship's captain literally holds the crew's fate in his or her hands, while a lawyer in-theater reviewing the legality of proposed target selections during a ground campaign plays similarly a key role in the ultimate success.

Active-duty officers come from a variety of commissioning sources, including our service academies, the Reserve Officer Training Corps programs at colleges and universities, the officer candidate schools or officer training schools of the services, and, for some, direct appointments, especially for physicians, attorneys and chaplains.

These civilian professionals are assessed directly into the officer corps and then attend training that focuses on their role as commissioned officers. Each military department has a chaplains corps, comprised of highly qualified men and women who become members of the armed forces to minister to service members and their families.

Chaplains are commissioned officers. They take the same oath to support and defend the Constitution as their doctor, lawyer, or line officer peers. My emphasis on this point is that the characteristics of an officer is by no means intended to minimize the importance of the professional training and religious certification which chaplain candidates must complete. I simply want to focus on the fact that chaplains, like members of the professions of law and medicine, must initially meet the very high standards of commissioned military service. The chaplain's commission is, in fact, a discretionary appointment based as much on his or her officership qualities as on their ministerial credentialing.

There are basically three ways in which our system ensures that officers are assessed and retained based on their ability to meet standards. These are: professional credentialing, security clearances, and, once the officer is on active duty, monitoring of his or her performance. I am aware that the issue of credentialing is of particular interest today and I want to begin with a review of that process.

To ensure quality, a college degree is a fundamental requirement for joining the officer corps. In addition to educational requirements, the services employ a variety of assessments to qualify candidates for overall commissioning standards, as well as for assign-

ment within specialties which require particular aptitudes, such as nuclear engineering or aviation.

The military system for procurement and training of commissioned officers is designed to obtain individuals of high quality. In the case of professions such as law, medicine and theology, there are additional credentialing requirements. These are not instead of, but in addition to the standards required of any officer.

We began revising the directive for credentialing chaplains almost a year ago. This morning, I signed a memorandum that puts part of that revision into effect, while we continue to staff and coordinate and get the legal checks on the entire memorandum. This new guidance seeks to clarify several Defense policies concerning prospective chaplains, and in particular ensures that the Department of Defense stays out of the business of approving religious organizations.

One standard for a qualifying organization begins with the evaluation already defined by the Federal Government in awarding Internal Revenue Service 501(c)(3) tax-exempt status. Following the notification of the IRS 501(c)(3) status, we verify that the organization supports a lay constituency and is prepared to submit a qualified applicant for consideration.

Finally, and most importantly, we do a thorough background investigation of the individual. I will turn to the security process in just a moment, but I want to mention the last standard required by the directive, and that is that a chaplain candidate must be willing to provide a personal affirmation to support the First Amendment rights of the entire population—that is, military members and their dependents—regardless of the chaplain's faith or that of the individual the chaplain serves.

As with all officers, the security screening of officer candidates is no less thorough than the review of their educational and professional credentials. Primary vehicles are the national agency check and a local agency check and a credit report, all conducted through the FBI and local agencies. More detailed reports are completed as indicated on a case-by-case basis. Applicants must also complete a personnel security questionnaire and are required to be able to hold a secret clearance in order to receive their commission. Services verify citizenship and perform medical screening and evaluations to determine overall fitness to serve.

Finally, once on active duty, all officers, all militiary personnel, are continuously monitored in three ways. There is an ongoing day-to-day evaluation by their supervisor. There are annual performance evaluations and the commander's oversight of his or her operation. Each of these avenues, while possibly low-key and on a day-to-day basis, is a critical link in the chain of responsibility for enforcing performance standards.

To our regret, we know that pre-employment screening is not fool-proof, whether it takes place in the public or the private sector. Military services strive to enforce the highest standards of personal conduct and performance by both officers and enlisted personnel.

Despite the best efforts of leadership, we are all aware of examples where individuals in all military specialties fall short. It may be in relation to official duties, as in the theft of Government prop-

erty or professional negligence by a physican or an engineer, or it might be an off-duty offense such as an assault or a burglary.

While every such case is a tragedy for both the individual and the institutions, we believe our system is designed to minimize these instances and to maintain the highest standards of personal ethics and behavior which we require.

People continue to be the most vital resource of the Department of Defense. Certainly, they are the most critical component of our readiness. We place intense demands on them. They are highly motivated, highly skilled professional service members. Currently, we have a force of over 2.3 million men and women serving around the world who have each sworn to protect our freedoms with their lives, if necessary. Over 4,000 of these are military chaplains who serve with our troops everyday.

The reputation and excellence of the United States armed forces has been earned. We are the best in the world, and our allies, friends and neighbors strive to emulate the professionalism of our force. Thank you for providing me the opportunity to publicly recognize the men and women who serve so proudly.

[The prepared statement of Mr. Abell appears as a submission for the record.]

Chairman KYL. Thank you very much, Mr. Abell.

Mr. Lappin, please.

STATEMENT OF HARLEY G. LAPPIN, DIRECTOR, FEDERAL BUREAU OF PRISONS, WASHINGTON, D.C.

Mr. LAPPIN. Good morning, Chairman Kyl and members of the Subcommittee. I am pleased to appear before you today to discuss the efforts the Federal Bureau of Prisons has taken to ensure we are preventing the recruitment of terrorists and extremists in our Federal prisons.

We understand the importance of controlling and preventing the recruitment of inmates into terrorism. We also acknowledge that this is an evolving issue, especially as it relates to relationships between terrorism, certain radical or extremist ideologies, and the penchant of those who adhere to these ideologies to recruit others to their position. We continue to evaluate our policies and practices, and are certainly open to recommendations to make improvements in this area.

We are aware of the particular vulnerabilities that inmates have to being recruited and converted to be terrorists, and we are very aware of the need to guard against the spread of terrorist or extremist ideas in Federal prisons.

The Bureau of playing a significant role in our Nation's war on terrorism. Our practices in institution security and inmate management are geared toward the prevention of violence, criminal behavior, disruptive behavior, or other threats to institution security and public safety, including the radicalization of inmates.

We have taken a number of measures over the last several years to ensure we are preventing disruption in our facilities, to include eliminating most inmate organizations in order to control the influence that outside entities have on Federal inmates, enhancing our information and monitoring systems, enhancing our intelligence-

gathering and sharing capabilities, and more effectively identifying and managing inmates who could perpetrate disruption.

Additionally, we have taken steps to strengthen the selection process and training of our chaplains, who work closely with the inmate population. Beginning in 1996, we began requiring that our imams meet the same educational standards as all of our chaplains, meet the requirement for an endorsement by a national organization, thereby allowing us to verify the validity and credibility of the endorsing body.

We have been managing inmates with ties to terrorism for over a decade by confining them in secure conditions and monitoring their communications closely. All of these inmates are clearly identified and tracked in our information systems. We have established a strategy that focuses on the appropriate levels of containment and isolation to ensure inmates with terrorist ties do not have the opportunity to radicalize or recruit other inmates.

The Bureau has worked diligently particularly over the past 2 years to enhance our intelligence-gathering and sharing capabilities in order to ensure a seamless flow of intelligence information between our agency, the FBI, the National Joint Terrorism Task Force, and other law enforcement and counterterrorism agencies.

In addition to containing and isolating inmates who could attempt to radicalize other inmates, we employ a second very important strategy in lessening the opportunities for recruiting inmates to radical causes. We provide inmates with a wide variety of programs that have proven to give them the knowledge, skills and abilities they need to become more productive, law-abiding citizens when they are released from prison.

Among the many programs offered to inmates in the Bureau of Prisons are the religious programs we provide to the approximately 30 faiths represented within the population. All indications are that the overwhelming majority of inmates participate in religious programs in a positive, healthy and productive way.

There are approximately 9,600 Muslim inmates, which is 5.5 percent of the inmate population. The percent of Federal inmates who identify themselves as Muslim has remained very stable for close to a decade.

We employ full-time civil service chaplains to lead worship services and provide pastoral care and spiritual guidance to the inmates, to oversee the breadth of religious programs, and to monitor the accommodation provided by contractual spiritual leaders and community volunteers.

Our religious contractors and volunteers assist and augment the services of civil service chaplains. We screen all staff, volunteers, and contractors to avoid hiring or contracting with anyone who is likely to pose a threat to institution security.

BOP civil service chaplains meet all the requirements for employment as Federal law enforcement officers, including a field investigation, criminal background check, reference check, drug screening, pre-employment suitability interview, and a panel interview. The BOP expects chaplains to provide a full spectrum of programs and practices across multiple religions. Chaplains, like all BOP employees, are strictly prohibited from using their position to

condone, support, or encourage violence or other inappropriate behavior.

The BOP is committed to providing inmates with the opportunity to practice their faith, while at the same time ensuring that Federal prisoners are not radicalized or recruited for terrorist causes. The support that has been provided by the FBI, the agencies represented on the National Joint Terrorist Task Force, and other components of the Department of Justice and many other members of the law enforcement and intelligence communities, have been invaluable in our efforts in this area.

Chairman Kyl, this concludes my formal statement and I look forward to answering any of your questions.

[The prepared statement of Mr. Lappin appears as a submission for the record.]

Chairman KYL. Thank you very much.

Let me begin by making a point and then asking Mr. Pistole to respond, if he desires to do so. It is beyond the purview of this hearing this morning to either examine any ongoing case under investigation or prosecution—I think we all understand that—or specific matters relating to counterterrorism which relate to primarily Mr. Pistole's responsibilities, which is not to say that there hasn't been significant coordination among the three of you with respect to counterterrorism aspects of the things that we are talking about. I guess I assume that those matters are being worked, but it is beyond the scope of our hearing today to talk about counterterrorism aspects of this, except in the most general sense.

Mr. Pistole, do you have anything further to say about that?

Mr. PISTOLE. Well, yes, Chairman Kyl. I appreciate your sensitivity to that issue, and you are correct in your assessment that there are a number of ongoing either investigations or proactive steps being taken, in concert with DOD and BOP, to assess and to determine the extent of the radicalization and the end use of whatever intelligence may be gathered by these individuals.

Chairman KYL. Right. I wanted to make that clear. Now, let me ask a question of you, Mr. Pistole, and also to Mr. Abell. What you have said regarding the Department of Defense process for determining who would qualify as a chaplain, in addition to the qualities of an officer which you made clear—you said that the new guidance which you just signed a portion of this morning will ensure that the Department stays out of the business of approving religious organizations. Then you say one standard for a qualifying organization begins with the evaluation already defined by IRS.

Now, my question is to both of you whether or not the granting of a tax-exempt status under Section 501(c)(3) by the IRS would necessarily determine whether or not an organization is engaged in illegal activities or activities contrary to the defined public policy of the United States.

Mr. PISTOLE. From an FBI perspective, that would have no bearing on whether we could either prove from a criminal investigative standpoint a person's activity in supporting terrorism or any linkage thereof. And just to clarify, the FBI is not in the protocol of the screening of the individuals who would become the chaplains or the translators, unless a background check for an FBI record would be conducted. That would be the extent of it.

Chairman KYL. Nor is the FBI involved with the IRS in determining the propriety of granting a 501(c)(3) designation to a particular group. Is that correct?

Mr. PISTOLE. That is correct, Senator.

Chairman KYL. So, Mr. Abell, my question to you is, other than verifying that the entity has a tax-exempt status under the IRS Code, is there anything in the granting of that that would necessarily screen an organization with respect to the issues that we are discussing today?

Mr. ABELL. Not to my knowledge, sir. We have talked to the IRS about the processes that they use and they are more, it is my understanding, to determine that it is a valid organization that meets the tenets of the IRS Code.

Chairman KYL. Right. Now, while you say that you are going to stay out of the business of approving religious organizations, the next sentence in your statement says "Our standard for a qualifying organization begins with the IRS determination." So I am a little unclear.

If you are out of the business of approving and then you have a standard for qualifying the organizations, could you square that circle for me?

Mr. ABELL. I will try, Senator.

Chairman KYL. And my second question in that regard is what is the purpose for qualifying an organization?

Mr. ABELL. I understand. In the past, the Department of Defense had a process under which various religions, if you will, would apply for recognition by the Department of Defense. It was a process in which they had to come in and demonstrate in writing, and fill out an application and demonstrate in writing a number of criteria.

At the end of that process, the Armed Forces Chaplains Board would make a recommendation to the person who sits in my position to approve that organization or that religion, if you will, as one that could provide chaplains to the armed forces.

When I came into the office, we began to look at that and wondered what was the Department of Defense doing—what was our core competency to approve a religion. And as I look back over the history, as the Department searched for a way to sort out whether there was a religion, if you will, or a church behind an individual chaplain, that is what they were attempting to do.

So we looked for an alternative. We started out about a year ago. We are very near the completion of that process, and we looked to the IRS as the agency that would tell us that it was a valid organization, that it had a structure and was formed to perform that function.

After that, we look at it to say does it have a lay constituency. In the term of art, that means is there a church out there, is there a group of people who come to these people to meet and practice their religion. And then do they have candidates who might come forward to be considered to be a chaplain in the armed services? So that is sort of three steps at that point. The point I would like to make is that once you have made it through those three hurdles, what you have earned is an application to come to the military.

Chairman KYL. If I could, will you be soliciting applications from groups or will you simply passively accept applications and then go through this process? What is the plan in that regard?

Mr. ABELL. The groups approach us when they have candidates that they would like to press forward or present for consideration to be a chaplain. It is not beyond the realm that we might go seek—if we had a constitency within our armed forces and had no organizations that already come forward, we might go seek that. In fact, as a result of the last several months of activities, we are looking around to see if there are organizations that might provide us Muslim chaplains other than the two that currently provide it.

Chairman KYL. So would it be fair to say that no longer will it be the Department of Defense policy that one or two specific organizations would have the sole authority to approve or to nominate members to the chaplaincy?

Mr. ABELL. That is true.

Chairman KYL. And would that be one of the biggest changes in the policy that you are moving toward adopting?

Mr. ABELL. I think that certainly is a major part of it. From a purely theoretical view, I would have argued that those two folks, those two organizations never were granted in any way sole authority, but de facto they are the only two who have provided Muslim chaplains to date.

Chairman KYL. Do you know whether or not there were attempts by other Muslim clerics or other groups to support Muslim clerics who attempted to be nominated for officer status in the U.S. military who were turned down because they weren't sponsored by those two organizations?

Mr. ABELL. No, sir, none, to my knowledge.

Chairman KYL. Now, Mr. Lappin, I don't want to let you off the hook. I have just got another minute or so and I wanted to begin to get into some of the things that you had to say.

I am unclear based on your testimony what the policy of the Bureau of Prisons is going to be now. You talk about the qualifications, which include as number four endorsement by a recognizing endorsing organization. What I would like to have you address is kind of the same questions that I put to Mr. Abell.

Who are those endorsing organizations in the case of the Islamic chaplains or clerics, and are there any changes that have been made in your policy in the last few weeks?

Mr. LAPPIN. Yes, sir. It has not been our practice to go out and ask organizations to recruit chaplains for us.

Chairman KYL. It has or has not?

Mr. LAPPIN. It has not been.

Chairman KYL. It has not.

Mr. LAPPIN. We have an open and continuous advertisement for chaplains throughout the country and anyone can apply. They are then responsible for identifying an endorsing agency, but they all must first meet the minimum requirements for a Federal law enforcement officer, which I mentioned included screening, an interview, a panel interview, field investigation check, criminal history check, vouchering of employers over the last 5 years, drug screening, and certainly a citizen of the U.S. or a legal resident.

Beyond that, they must have a B.A. or a B.S. from an accredited college, a master's of divinity, or 90 semester hours towards those credits, and a minimum of 2 years of ministry experience, and then an endorsement. An endorsement is just a small portion of, I guess, the application process.

When they bring forth an endorsing agency, we then go to the endorsing agency and ask them to provide to us support justification as to why there should be an endorsing agency, at which time we then investigate, and now coordinate closely with the FBI and the other National Joint Terrorism Task Force to ensure who we are discussing these issues with.

Again, they are attesting to the fact this individual is suitable for ministry in this area. They assess or they provide us input on their experience with this individual and the individual's experience and that they have no present or past legal or moral barriers to serving as a chaplain. So, collectively, all those things go into the process of selecting a chaplain. Our chaplains are not selected by the chaplaincy corps. They are then selected by an administrator who oversees the institution or the region, so they are not being selected by the chaplaincy corps.

Chairman KYL. We are going to turn now to Senator Feinstein, but let me just ask you for a yes or no answer. In the past, have you used as an endorsing organization the American Muslim Armed Forces and Veterans Affairs Council, the Islamic Society of North America and its Graduate School of Islamic Social Sciences?

Mr. LAPPIN. We have used ISNA and AMC or AMF. We have not used the others because no one has come forth with them as an endorsing agency.

One individual did bring forth, I believe, the Veterans. They have failed to send us the information so that we could verify their status as an endorsing agency.

Chairman KYL. Thank you.

Senator Feinstein?

Senator FEINSTEIN. Thank you very much, Senator Kyl. I would like to follow up on your questions. We talked about three endorsing agencies. You have just mentioned them: the Islamic Society of North America, the American Muslim Armed Forces and Veterans Affairs Council, and the Graduate School for Islamic Social Sciences.

Now, Mr. Abell, do I understand it that the Defense Department will no longer use those organizations as endorsing organizations for chaplains?

Mr. ABELL. No, ma'am. That is not correct. They won't have exclusive endorsing rights, if you will. Recognizing that they are under investigation, we are seeking others, and should these organizations be determined to have violated their principles or to somehow be indicted, then we would—the members of those—the chaplains who were endorsed by those folks would have to find another endorsing agency.

Senator FEINSTEIN. Do you know who funds those organizations? Do you know where the money comes from?

Mr. ABELL. Only what I read in the papers, ma'am.

Senator FEINSTEIN. Let me ask the same question to Mr. Lappin. Are you going to continue to use those three organizations? And, secondly, do you know who funds them?

Mr. LAPPIN. I am not familiar with who funds them. We have not hired any Muslim chaplains since August of 2001. We probably will not hire any, at least from these endorsing agencies, until the investigations are completed.

Senator FEINSTEIN. And if it was shown that they were funded by Saudi Arabia and that they promoted the religious beliefs of the extremist Wahhabi sect of Islam, would that change your view about these organizations?

Mr. ABELL. Yes, ma'am. I think that that would cause us to cease to recognize those organizations, and then, as I said, the individual chaplains, as long as they had maintained their oath and their conduct and performance had been outstanding, they would have an opportunity to find another endorsing agency.

Senator FEINSTEIN. Well, I might just say that some experts have said that they are funded by Saudi Arabia, and I would like to ask that you determine this and let this Subcommittee know if that, in fact, is correct. And I would like to know what the policy would be about having militant Wahhabists as chaplains in either the Bureau of Prisons or our Defense facilities. If you could answer that, that would be great.

Mr. LAPPIN. Well, I would agree, if we received that type of information about an endorsing agency, we would certainly change our position on using them as an endorsing agency in the future. And as I said, we do not plan to hire any chaplains, Muslim chaplains at this time who are being referred by an endorsing agency that is under investigation.

Senator FEINSTEIN. I am asking you to do a little bit more than just be passive and receive. I am asking that you find out.

Mr. LAPPIN. We will do that.

Senator FEINSTEIN. And, Mr. Abell, will you do that as well?

Mr. ABELL. Yes, ma'am. As you know, the Department is not investigating. We turn to our colleagues in the Department of Justice for that. But we are in communication with them over this.

Senator FEINSTEIN. Okay. Now, I would like to ask another question along a slightly different line. Two translators at Guantanamo—former taxi driver Ahmed Mahalba and Air Force senior airman Ahmed Al-Halibi—both have been arrested. And I believe customs inspectors found classified information in Mahalba's luggage, and Al-Halibi allegedly tried to pass sensitive information to Syria.

The Boston Herald has reported that both Mahalba and Al-Halibi had been hired even though Mahalba had financial problems and Al-Halibi had already been investigated for making anti-American statements.

In an article by the Cox News Service, Kevin Henzell, a spokesman for the American Translators Association, said that under normal circumstances neither man would have been hired, but because there is such a demand for Arabic language speakers, the Government may have overlooked certain red flags.

Thomas West, the head of the American Translators Association, was quoted as saying, "They were desperate and sort of grabbing

at straws. It just ignores the whole idea there are professional translators out there when you start grabbing taxi drivers."

Would you comment, please, Mr. Abell?

Mr. ABELL. Shortly after September 11, 2001, it became obvious to the Department of Defense, and I am sure the whole of the Federal Government, that we did not have sufficient numbers of Arabic linguists or translators or interrogators to prosecute the global war on terror to the extent that we were going to need them. Then what immediately followed was an intensive recruiting effort. In that recruiting effort, we looked to folks who had the ability to speak and would then—either to translate or to interrogate, depending on their skill set.

I think it is fair to say that folks were brought on with sort of interim-level checks and then the more detailed checks to follow, and I think the results of that are as we are seeing here. We have found a couple who were not as trustworthy as we had hoped initially. But there was an initial push. I think we all recognized that we did not have enough Arabic linguists already employed to meet our requirements.

Senator FEINSTEIN. Now, I understand that some of the civilian translators at Guantanamo, including Mr. Mahalba, are from military contractors, such as the San Diego-based Titan Corporation. What background checks and vetting do DOD contractors do on contract translators?

Mr. ABELL. We do use contractors as a means to hire linguists and interrogators. The Titan Corporation is among those. They run a background check, and then, of course, the military does a more detailed check. And as I said, in our rush to meet the requirements, the mere numerical requirements, I think folks were brought on based on those initial checks, and then the more detailed checks followed as time permitted.

Senator FEINSTEIN. Are you doing anything to change your procedure in this regard?

Mr. ABELL. Oh, yes, ma'am. We have a number of programs that we are implementing to bolster our ability to have linguists in a number of languages, not just Arabic, to include a new reserve program where the members would be a part of the various reserve components. We hope never to be caught in this position again, but we were.

Senator FEINSTEIN. Do translators at Guantanamo have free movement throughout the prison facility? I have been there so I have seen how it is set up, but can they move about and talk with prisoners at will?

Mr. ABELL. I have not been to Guantanamo since the global war on terror prisoners were brought there. It is my understanding that they do not, but that is an understanding, secondhand knowledge. I have not been there.

Senator FEINSTEIN. Because there is some testimony from a man by the name of Bill Tierney who worked as a translator at Guantanamo in February and March of 2002, and I believe he stated recently that interpreters who worked with guards could roam the facility unescorted, were able to speak one-on-one with detainees. So it would seem to me that that is worthwhile checking out. And

could you please make available to the Committee the memo you referred to earlier?

Mr. ABELL. Yes, ma'am.

Senator FEINSTEIN. I would appreciate that.

Thank you very much.

Chairman KYL. Thank you.

Senator Sessions?

Senator SESSIONS. Thank you, Mr. Chairman. You know, I was raised to respect other people's religion, and I think that is important. I try to take my faith seriously, and I respect others who take their faiths seriously. But we need to think clearly here about some tendencies that are in certain parts of the Islamic groups that are radicalized that do not respect our freedom, they do not respect the liberty that we have, and they see other faiths as a threat, something that needs to be eliminated. A small group, but it is real, and we might as well understand that.

Mr. Abell, I would like to just pursue a little bit this endorser concept. As I understand it from my friend, who is a Methodist chaplain, he remains a member of the Methodist Annual Conference. He has to be in good standing of that conference. If they require educational programs, he has to maintain those. And if for some reason he loses that imprimatur of the conference of the Methodist Church, then he may not be able to continue as a chaplain. Is that correct?

Mr. ABELL. Yes, sir.

Senator SESSIONS. So an endorsing organization has a continuing involvement with the person that they endorse. It is not just, okay, we recommend the chaplain to the military or to the prison system. This person has to remain loyal to that group to some degree. And if the group is not a healthy organization, doesn't that add an additional threat to the military or to the prison system?

Mr. ABELL. Yes, sir. It certainly is a concern.

Senator SESSIONS. Mr. Lappin?

Mr. LAPPIN. Yes, it is, sir. In fact, if that were the case, our chaplains can change endorsing agencies. We would probably ask them to do so.

Senator SESSIONS. But the difficulty is that if your endorsing agency is not legitimate, then we have got a problem. Senator Kyl raised a question, and I think it is quite valid. Are you saying, Mr. Abell, that if the IRS says that an entity, a religious entity, is legitimate, therefore they are legitimate for the purposes of the Department of Defense?

Mr. ABELL. No, sir. That is one screen that we use. We rely on the IRS to have determined that this is an organization that has structure and meets their requirements. So that prevents you or me from creating the Church of the Texaco Star at the burned-out gas station or something and sending forth a chaplain. I hope there is no Church of the Texaco Star.

Senator SESSIONS. I recall one fellow tried to have the Church of the New Song. He was a prisoner and wanted to have steak and wine as communion services twice a week and filed a lawsuit to that effect. So you are right. You can have bogus groups.

Mr. Pistole, as a former Federal prosecutor who worked with the FBI, I am aware that there are Department of Justice regula-

tions—I have not had a chance to look at them—that provide special cautions against investigating church groups. Is that still in the Department of Justice guidelines?

Mr. PISTOLE. That is correct, Senator.

Senator SESSIONS. And how does that—and I remember in this Senate we had a fuss, which shocked me, that an agent could not go into an open worship service and see if they were planning attacks on America. I think we got past that. But what are the restraints that constrain an agent when they do investigations if the entity is a church as opposed to some other secular corporation?

Mr. PISTOLE. Well, Senator, as you are aware, the PATRIOT Act did change a lot of that for the FBI and other investigative agencies in terms of domestic investigations whereby if we have predication on an individual who goes into a mosque or a church or some type of religious facility that that person is somehow related to terrorist activity, then clearly we can have an undercover agent go in, a cooperative witness, somebody go in who is wired up and can record those conversations, can take down that information, and do everything that we can to prevent that person, whether it is an imam, a cleric, whoever it may be, from inciting others to violence.

Now, obviously there is a fine line between extremism, which is protected under the First Amendment, obviously, and the ability to incite jihad in the commonly accepted term as opposed to, you know, spiritual development, as it has historically been. So we can do that, and there is no limitation from our perspective. In fact, we—

Senator SESSIONS. It is still more difficult, is it not, for you to—or is there still a hangover sense that causes you, maybe rightly, to be less aggressive in investigating an entity that has religious connections and claims itself to be a church as opposed to a group of drug dealers or Mafia types?

Mr. PISTOLE. In all probability, I would like to think not, given everything that has happened since 9/11, but, sure, if there is a situation where there is some concern about the religious aspects, an individual agent may have some reservations. But as head of the Counterterrorism Division, I can tell you that the policy is that there is no restriction there, as long as we have the predication on the individual. Obviously, we are not investigating the institution, the religion, anything like that.

Senator SESSIONS. With regard to the FBI and your investigations and Mr. Abell's problem of endorsing organizations, I understand Mr. Abell to suggest that if there were an indictment or a conviction, he would not use somebody as an endorsing organization. But as a background and as a security action, we are not required to take that risk, are we? When you do a background check on a person for a sensitive position, you do not have to have enough evidence to indict them before you say we are just not too sure we ought to hire this person? Are we miscommunicating here somewhere, Mr. Abell? Do you see the point I am trying to make?

Mr. ABELL. I do, and perhaps I did not use the term in the same sense that you would, sir, as a former prosecutor. If the FBI advises or the Department of Justice advises the Department of Defense that this is not an organization that we ought to accept, then

we would not, whether that is added to the list of terrorist organizations or some other sort of lesser classification.

Senator SESSIONS. Okay. Thank you. I am sorry, Mr. Chairman.

Chairman KYL. We are not sticking exactly to the 5-minute rule, but give or take a few minutes, and so I appreciate that very much.

Senator Schumer?

Senator SCHUMER. Thank you, Mr. Chairman.

First, I did want to take the indulgence of the Committee to announce that I have two guests here today. They are my parents. They are in the audience. I cannot see them, but I have been told they are here. They are here with their bridge club from New York. Hi, Mom, hi, Dad, wherever you are.

Chairman KYL. Could we recognize you to stand, please? It is not often that the parents of a Senator—well, thank you.

[Applause.]

Chairman KYL. This will not count toward your time, Senator Schumer, but we could not even get two seats together. It is just like on the airplane.

Senator SCHUMER. Okay. Well, thank you, Mr. Chairman.

First, I want to say that I am heartened by what we have heard here today because, as you know, this has been a concern of mine in both the Bureau of Prisons and the military for a while. But I would like to get some details. There are two aspects here: one is outreach, and one is dealing with groups that should not be inside.

In terms of outreach, I think you said, Mr. Abell, that the armed forces were going to make an effort to reach out to other Muslim groups. We have hundreds and hundreds of Christian chaplains of different denominations, and that is great. And somehow it seems that at least the people—we do not exactly know—I do not think anyone has interviewed the ten Muslim chaplains that are in the—are there ten in the Bureau of Prisons?

Mr. LAPPIN. Ten in the Bureau of Prisons.

Senator SCHUMER. Or I don't know how many there are in the—

Mr. ABELL. Twelve, Senator.

Senator SCHUMER. Twelve in the armed forces, if they have any kind of diversity, but the groups that are filtering them through may not. Can you just outline what your outreach is going to be? And are you going to look particularly for Sufi and Shia and Sunni Muslim groups? Some of whom after I got involved in this contacted my office on their own and said they would be interested in this kind of thing.

Mr. ABELL. Senator, from the Department of Defense perspective, we are going to—we are, in fact, have already begun looking for organizations that would meet the criteria who could be sponsoring or endorsing organizations, without regard to the particular sect. We had not targeted in any way one sect or another or even—

Senator SCHUMER. And it seems—and this may be true of prisons as well. It seems you just sort of—these two groups—how did it come to be that these two groups became the only two groups that were involved? Is it that they were the only ones that came forward and the knowledge of Islam in America was such that nobody said, well, just as we know for sure there are Baptists, Methodists, Eastern Orthodox Catholics, and those are different forms of Christianity, that we sort of did not know that there were different forms

of Islam and that only—what happened here? These two groups, did you approach them, BOP and military, or did they approach you and you said, well, if you are 501(c)(3) you are fine and you will go through those other checks? Mr. Abell first, and then Mr. Lappin.

Mr. ABELL. In the case of the Department of Defense, these are the only two groups who have come to us and asked to be recognized.

Senator SCHUMER. They came forward?

Mr. ABELL. Yes, sir.

Senator SCHUMER. And it would sort of make sense that those who had the most passion about this or who might have another agenda would come forward, where others might not.

Mr. ABELL. Again, one of the things that is required of being a chaplain in the military is that the individual has to personally certify that they are pluralistic—

Senator SCHUMER. I understand.

Mr. ABELL. —that they support the—

Senator SCHUMER. Free exercise of religion, in other words, which is good, although, again, we have had instances where that has not happened. At least we know of those in some instances.

Mr. LAPPIN. Yes, sir, we do not, again, go out and search out organizations or agencies to bring us candidates. Candidates come to us. They then bring with them an endorsing agency. My assumption is—we have had some of our chaplains for as many as 16 years, and in the 1980's and early 1990's, there were not that many Islamic organizations of a national level that could provide endorsement. So that is in part why we probably have more from ISNA than others.

Senator SCHUMER. Well, it sort of happened sort of by both accident and not total familiarity with the Islam religion.

Mr. LAPPIN. Yes, and we got to know them relatively well. We have gone out and done training with ISNA. They participated in our training. So we educated ourselves somewhat on a number of the endorsing agencies by our relationship with them beyond just the endorsing.

Senator SCHUMER. Now, let me ask a second question. I take it it has become clear—and I know Senator Kyl alluded to this—that your criteria for including somebody are really not sufficient any longer, that just to have a 501(c)(3) and go through a routine background check is not enough, and you are going to—this is in terms of excluding groups that shouldn't be, not including groups that should be. Is that fair? I see both witnesses nodding their heads, but could they verbalize it so the recorder could get that down?

Mr. ABELL. Yes, Senator. We are going to continue our study of this until we can find a way that would hopefully avoid situations—

Senator SCHUMER. And it is a difficult area because you want to have freedom of religion. I think Mr. Pistole even talked about the different meanings of the word "jihad." There can be a religious type of jihad, which is all a thought process, which is protected by the First Amendment, and then we know there can be an action form of jihad, which is criminal and immoral and inhumane and everything else.

The same with you, Mr. Lappin?

Mr. LAPPIN. Yes, sir, I would agree. We are going to do everything—we are going to remain vigilant and exploring as much as we can about endorsing agencies. We will be working—

Senator SCHUMER. But both of you admit that the existing criteria were not good enough, in retrospect.

Mr. LAPPIN. Yes.

Mr. ABELL. Yes, sir.

Senator SCHUMER. Okay. Next question. This really does concern me, the fact that a military chaplain led this delegation of soldiers on a trip to Saudi Arabia in 2001 that was sponsored by the Muslim World League, which, again, the CIA—that is an official Saudi organization, but the CIA has said it is a front for Al-Qaeda. What do you know about this, Mr. Abell? What is going on that you can tell us, given the constraints that the Chairman, of course, correctly mentioned that we do not want to interfere with an ongoing investigation? But this knocked my socks off. I was surprised it did not get more attention than it did. Could you tell us what you can about that?

Mr. ABELL. What I do know—

Senator SCHUMER. It also says to me something is going on here. How did this chaplain get connected with the Muslim World League? Maybe it is innocent, maybe it is not, but it certainly ought to be looked into.

Mr. ABELL. Yes, sir. I do not know how this chaplain was connected with this organization. As for the service members who went, they asked for and were granted their ordinary leave. They were on leave status and thus able to travel as U.S. citizens without any further scrutiny by their commands or the military service. So I think what we knew about that at the time was almost nothing as an institution, as the Department of Defense or as the military service. The interesting—

Senator SCHUMER. What does it make you think now?

Mr. ABELL. Well, as I was about to say, the interesting question becomes the connection of the chaplain to the organization. I do not believe we would get to the point where we would ask our soldiers, sailors, airmen, and marines to tell us what they wanted to do on their leave. So we may have instances where a service member goes on leave and—

Senator SCHUMER. Well, are you going to question the chaplain and ask him how he got connected with this organization? Are you going to find out—

Mr. ABELL. I think that is the interesting question, yes, sir.

Senator SCHUMER. Are you going to find out if these people just on their own, the members of the armed forces said, gee, I would like to go on a haj or it was suggested by this chaplain? Were there other chaplains suggesting it as well? Don't you think these are all relevant questions that we ought to know the answers to?

Mr. ABELL. Yes, sir. I wanted to try and separate the activities of the 50, 60 individuals with that of the—

Senator SCHUMER. Who have a perfect right to go, obviously. Okay. I understand that.

Finally, as you know, I have written both of your agencies for a while. Mr. Lappin, you are new on the job so you get exoneration here. I don't know long you have been there, Mr. Abell.

Senator FEINSTEIN. Long enough.

Senator SCHUMER. Long enough, says Senator Feinstein. But why has it been that—you know, I do not expect the answers the next day, but I have really encountered very little cooperation in answers from both the military and the Bureau of Prisons in the letters I have written, in the concerns I have brought up here. And when I brought these up, maybe it was not as prominent as now, but we have had new instances of things coming up that are very, very troubling. What is going on? And can I find a liaison who my staff can call and get questions answered that either aren't classified or aren't concerning an ongoing investigation?

Mr. ABELL. Obviously, the answer to the latter question is yes. Let me—

Senator SCHUMER. Who might that be?

Mr. ABELL. I am sure the Department would suggest that Secretary Moore would be your point of entry.

Senator SCHUMER. I do not need someone that high up. I just need someone who knows the answers.

Mr. ABELL. But I am sure that our Inspector General, Mr. Schmitz, would come see you as well and be happy to talk to you.

Senator SCHUMER. Okay. Well, if you could just get me the name of a liaison, and day to day when we find out these things, we always want to check them out and be careful with them.

Mr. ABELL. Yes, sir.

Senator SCHUMER. How about you, Mr. Lappin?

Mr. LAPPIN. I apologize it has taken so long, sir. I will check into it. I understand the letter was sent to the IG. We will follow up with them today or tomorrow and try and get you a response as quickly as possible.

Senator SCHUMER. Thank you.

Thank you, Mr. Chairman.

Chairman KYL. Thank you, Senator Schumer.

Senator Durbin, before I call on you, could I ask your indulgence for just two quick things?

First of all, I think it is a good idea to have Secretary Schmitz come to us. What I would like to arrange is for a private briefing of the Committee because there could be both classified and ongoing investigation matters, given his position, but I think that would be a very useful thing for our Committee.

Senator SCHUMER. A great idea, Mr. Chairman.

Chairman KYL. And with your suggestion, Mr. Abell, we will contact Mr. Schmitz for that purpose.

Secondly—and, again, Senator Durbin, might I ask your indulgence? Senator Schumer asked a question of you, Mr. Abell, about whether you were aware of any other organizations that sought to be recognized by the Department of Defense for the purpose of denominating military chaplains. I just quote from a news magazine article and ask this question. This is from the October 27th issue of National Review in an article by Kate O'Byrne, and I will read the paragraph on page 32:

"A moderate Muslim organization aligned with Shiite Islam also claims to have been ignored by the Defense Department. The Universal Muslim Association of America has tried unsuccessfully to be approved to certify Muslim clerics. Its spokesman explains, 'The Defense Department should be aware that there are two main forms of Islam, Sunni and Shiite, and that it was only Wahhabism that is being represented.'"

Are you familiar with that?

Mr. ABELL. Senator, I read Ms. O'Byrne's article this morning about 8 o'clock, and so I have had no opportunity to look into those statements. I do not necessarily agree with everything that I read in that article, but certainly we will check out whether or not we have ignored one or more—

Chairman KYL. That is an allegation that would be inconsistent with what you said.

Mr. ABELL. Yes, sir.

Chairman KYL. So you will get back to us with your response.

Mr. ABELL. Absolutely.

Chairman KYL. Thank you, Senator Durbin. You have the floor.

Senator DURBIN. Mr. Chairman, thank you. Not being a member of this Committee, I am attending more of your sessions more often because, frankly, you have very important issues and very relevant to our discussion about the war on terrorism. And I wanted to also greet Mr. and Mrs. Schumer and tell you that your son, whom I have lived with for 11 years, is a great roommate. So you raised him well.

[Laughter.]

Senator SCHUMER. Don't tell them about my neatness habits.

Senator DURBIN. No, I will not talk about that.

It strikes me that when we talk about this issue in its obvious extreme, it is easy. When there are people who are seeking to be chaplains or religious counselors who have a criminal record or espouse violence, who collect information and use it against our Government, these are the clear cases.

What worries me, though, is when we start setting standards for acceptable chaplains and acceptable religions, I think we get into a very difficult area. If I read correctly your Code of Ethics, the American Correctional Chaplains Association—I do not know if you have all assumed that that guides your decisions or is part of your decisions. Have you had instances in the past where certain religious groups have been excluded even though there is no clear evidence that the person asking to be a chaplain has anything in his or her background that would disqualify them? Mr. Lappin?

Mr. LAPPIN. Not to my knowledge, but we can certainly check on that. Again, we have 231 chaplains, and we scrutinize all of those applications very closely. But, again, not to my knowledge that we have excluded anyone.

Senator DURBIN. If I understand the standards, it is basically a certain level of education and certification by their religion, and then you look to their personal resumes to see if there is anything. But I worry about what is surfacing now. Senator Sessions made reference to what some people are calling religion. In my home State, there is something called the World Church of the Creator, which is under investigation and indictment, and they claim to be

a religion. But they espouse violence; they are anti-Semitic; they are racist. And I was just curious as to what the process would be if someone said, "I am a minister of this church and would like to be a chaplain in a Federal prison," and some prisoners said, "Yes, we would like to have such a person as chaplain," How does that work?

Mr. LAPPIN. Well, typically, this begins from the inmates. Typically, inmates will come in and say, "I am a member of this church or practice this religion," and we do a thorough investigation before we determine that that, in fact, is a religion that we would recognize in the prison setting. So, typically, it comes from the other direction, but we have a process by which we make that assessment and determine that.

Senator DURBIN. What is the standard for whether you would recognize—you said that you would recognize in a prison setting. What I am trying to get to is the hard part of this question. Can you, will you draw a line and say this is either not a religion or is a religion that we find unacceptable to minister to inmates?

Mr. LAPPIN. Yes, we would. I believe we would, and we can provide to you how we determine what is a religion as it pertains to requests from inmates that might lend you an idea of how we make that assessment.

Senator DURBIN. Mr. Abell, could you address that as well in terms of how you would deal with this concept of defining religions and ruling certain religions unacceptable?

Mr. ABELL. Senator, this is the precise reason that a year ago we began to look at how we deal with endorsing agencies, and as I explained—maybe before you arrived—there was a point at which the Department approved religions, if you will, and that was a thing I was trying to get away from, couldn't find a core competency in the Department of Defense to approve a religion.

We have had a number of religions that have come forward to us that wanted to provide chaplains whose practices were not, in my personal view, anyway, consistent with good order and discipline within the military services. Those religions have not yet made it through the process, either the IRS process or the old Department of Defense process where they would be recognized. Were they, there is a second test, which is: Do the services need them, much like his population, only this would—in the Department of Defense this is usually a determination at the service level. It may have bubbled up from the deck plates, if you will, but the service would determine whether it needed a chaplain from that particular religion or not based on what it knew about the members within its service. But it is very difficult, but we do hold the standard of good order and discipline as well.

Senator DURBIN. Have you been challenged in any of these decisions by these religions in court as to whether or not you could exclude them?

Mr. ABELL. In the history of the Department, I do not know. Lately, not yet. We certainly would anticipate that will come.

Senator DURBIN. Mr. Lappin, do you recall any challenges?

Mr. LAPPIN. I know we have been challenged by inmates when we determine that their religion is not one that we would recognize.

Senator DURBIN. And has there been a court determination on any of these decisions?

Mr. LAPPIN. I am not sure, but we can certainly check into that and provide you what we know.

Senator DURBIN. If you would.

Mr. Chairman, I think that some of these are fairly obvious. If you are dealing with a minister, someone who has a questionable background, or a religion which clearly espouses violence and terrorism, I think these are all fairly easy calls. But there is a very difficult gray area here in terms of what is an acceptable religion in a country that tries to embrace diversity. And I applaud you for your efforts to try to draw that line. I think it is increasingly difficult.

Thank you.

Chairman KYL. Thank you very much, Senator Durbin.

If there are no other questions from the dais here, I would like to thank our panelists. Obviously, this is an ongoing matter, both for us and for you. We will be interested in getting further reports about the evolution, particularly, Mr. Abell, of the Department of Defense's program here and would hope that you would provide that to us in writing from time to time or as it is appropriate. We will follow through on the other matters that I indicated. We will keep the record open until the end of this week for any other additional comments you would have or any questions that members of the panel might have.

Senator SESSIONS. Mr. Chairman, I would just follow up with a written question, but I am curious about what if a chaplain celebrates those who attacked on 9/11 as martyrs or a chaplain that not only is himself a pacifist but actually preaches to soldiers they should also be pacifist. I would like to hear your position in the Department of Defense. You do not need to take that time now, but how you deal with that, because I think some of the messages can also be against the good order and discipline of the service. We just do not need to be too timid about this. I do not think we need to be timid about who we pay in our prisons and our military.

Chairman KYL. Thank you, Senator Sessions, and you can get that information to us in writing, obviously.

Thank you all for being here.

Chairman KYL. Now I would like to invite our second group of panelists forward for what I know is going to be some very interesting testimony. There are two panelists but a third member will be joining us at the table.

The first panelist is Dr. Michael Waller. Dr. Michael Waller is testifying in his capacity as the Annenberg Professor of International Communication at the Institute of World Politics, a graduate school of statecraft and national security in Washington, where he teaches courses on propaganda and political warfare. As a journalist and author, Dr. Waller has written about terrorism and political warfare for 20 years and conducted a pioneering study published in 1991 of the U.S.-based political and fundraising networks of international guerrilla and terrorist groups. He has been working with the Center for Security Policy on tracking Islamist terrorist groups and their domestic political networks in the United States, and his testimony today will place the issue of the Islamist

prison and military chaplain recruitment into a larger context. He is testifying as an expert witness on the political warfare operations of terrorist organizations and not on Islam, I would make it very clear.

Chaplain Paul E. Rogers is president of the American Correctional Chaplains Association, which represents over 450 Federal and State prison chaplains around the country. Mr. Rogers is a former chaplain in the U.S. Air Force and has been Archdiocese of Milwaukee representative to the Christian-Islamic Dialogue for 10 years. He has been employed by the Wisconsin Department of Corrections since 1989. And Chaplain Rogers is accompanied by Chaplain A.J. Sabree—I hope I am pronouncing that correctly, sir—the treasurer of the American Correctional Chaplains Association and the former Chair of the American Correctional Chaplains Association Certification Committee. Mr. Sabree, a Muslim imam, is assistant director of chaplaincy services at the Georgia Department of Corrections and supervises chaplains at 104 facilities throughout Georgia. He has been with the department since 1975, is based in Atlanta, has 28 years of experience as a clinical chaplain, including 15 years in his current position, and is based in Atlanta.

Thank you, all three of you, for being here. Dr. Waller, the floor is yours.

STATEMENT OF MICHAEL WALLER, ANNENBERG PROFESSOR OF INTERNATIONAL COMMUNICATION, INSTITUTE OF WORLD POLITICS, WASHINGTON, D.C.

Mr. WALLER. Thank you, Chairman Kyl and members of the Subcommittee, for having this hearing and for inviting me to testify on sort of connecting the dots about how the chaplains issue connects with the larger foreign-funded efforts to penetrate our society on behalf of people who wish us ill.

I have a very lengthy prepared statement, which I will leave for the record, but what I would like to do is to scan over it in the time I am allowed. My written testimony discusses the foreign entities and individuals who created the Muslim Chaplain Corps for the United States military, the parties responsible for nominating and vetting them, the issue of state-sponsored penetration of the U.S. military and prisons, challenges to our ability to understand the nature of the problem, and the larger context of which the chaplain program is part.

In short, this is what my colleagues and I have found over the past two and a half years: first, foreign states and movements have been financing the promotion of radical, political Islam, which we call Islamism, within America's armed forces and prisons. It is fundamentally a political movement with a lot of religious overtones. It seeks political power and it demands a radical change in our legal system and, in fact, in our Constitution. That alien ideology preaches intolerance and hatred of our society and our culture and the principles enshrined in our Constitution, and adherents to the ideology directly and indirectly spawn, train, finance, supply, and mobilize terrorists who would destroy our system of Government and our way of life.

They have created civil support networks for terrorists at home and abroad, many of which operate entirely legally, providing ma-

terial assistance, fundraising operations, logistics, propaganda, legal services in the event of arrest or imprisonment, and bringing political pressure to bear on policymakers and opinion leaders grappling with counterterrorism issues.

As a society, we have not understood the problem. I think part of the reason is that some of our leaders, particularly in the FBI and elsewhere, have not wanted to forthrightly confront the issue. It was noted that someone did a content analysis of the FBI Director's speeches and could not find where they had "Islam" and "terrorism" in the same sentence. The FBI has repeatedly come to hearings of this Subcommittee and not given straight answers, not even discussed, as in the June 26th hearing, the issue of the hearing. So we have done a disservice in terms of public understanding.

This also comes on attempts by supporters of some of these terrorist groups to stifle debate. Our research also shows that the most virulent of the denunciations of the anti-terrorism processes and the critics of these movements and these hearings have come from groups that themselves are tied to or funded by foreign Wahhabi entities, including the Muslim Brotherhood, by the way. As we will see, a reported Muslim Brotherhood member was arrested a couple of weeks ago, Abdurahman Alamoudi. He built the political pressure groups in Washington, the main ones, on a lot of Muslim issues, the radical Muslim issues, and he also created the Muslim Chaplain Corps in the U.S. military.

We have to keep this in the larger context. This is part of 40 years, spans 40 years of Wahhabi political warfare as an element of international religious proselytizing and, some would argue, political warfare of which religious proselytizing is an element. And the strategic goal is twofold: to dominate the voice of Islam around the world, and to exert control over civil and political institutions around the world through a combination of infiltration, aggressive political warfare, charitable programs, and violence. And we see this happening globally—Pakistan, Egypt, United Kingdom, continental Europe, in Bosnia-Herzegovina, in Kosovo, Russia, Turkey, Southeast Asia, parts of Africa and Latin America, and here, too.

To connect the dots, unlike our past adversaries, this terrorist enemy is often organized horizontally. We are used to dealing with vertical hierarchies so you can round them up just by following the hierarchy up to a central command and control. With some of the entities we are talking about, there is indeed a central command and control. But with others, it is networks so that even if you remove the leaders of those networks, the networks still flourish. They operate autonomously. They operate among themselves. Some have different ideologies, but they do cooperate with one another. They make common cause with one another, and this challenges previous intelligence assumptions that certain groups of Muslims, for example, would not collaborate with other types of Muslims, or even non-observant Muslims.

The vertical structures include the so-called Wahhabi lobby here. This is a loose term to describe mainly Saudi and other foreign-funded groups, funded by Saudi Arabia, funded by Qatar, and other Wahhabi sources to promote these movements in the United States.

Now, what I am talking about is all from open sources, and it is sort of extraordinary that the FBI cannot offer straight testimony on this. But what we have found are two components for this campaign. The first is operational, and it includes fundraising, logistics, material support, infiltration, training, indoctrination, intelligence collection, counterintelligence, security, and legal support for terrorist-oriented organizations. The second is political: grassroots organizing, ideological and political mobilization, and a Washington political presence to show national voices, to change the U.S. laws, to provide a mainstream face for their extreme agenda, and to attack their critics.

In the words of an Al-Qaeda operative, Khalid Shaikh Mohammed, in the June 23rd Newsweek, Al-Qaeda has chosen to use "mosques, prisons, and universities throughout the United States" to foil heightened security measures across the American heartland and to recruit people who don't fit the terror profile so that they can more actively promote the agenda of Al-Qaeda or the interests of other organizations, the organizations of those groups.

I see by the light I have run out of time, so I will reserve my other comments for later.

[The prepared statement of Mr. Waller appears as a submission for the record.]

Chairman KYL. Well, thank you. I want to thank you for your written testimony, which is extraordinarily complete, and we appreciate that very much and we will have some questions after a moment.

I hesitate to say "Mr. Rogers." "Chaplain" would be a better way to refer to you, and I do that, sir. Thank you for being here.

STATEMENT OF PAUL E. ROGERS, PRESIDENT, AMERICAN CORRECTIONAL CHAPLAINS ASSOCIATION, WAUPUN, WISCONSIN; ACCOMPANIED BY A.J. SABREE, TREASURER, AMERICAN CORRECTIONAL CHAPLAINS ASSOCIATION, ATLANTA, GEORGIA

Mr. ROGERS. Mr. Chairman, Senator Kyl, Subcommittee members, thank you for this opportunity to be here. I am Paul Rogers, president of the American Correctional Chaplains Association and staff chaplain at Dodge Correctional Institution in Wisconsin. I have with me here today Imam A.J. Sabree, treasurer of the ACCA, the keeper of the checkbook. We trust him. And, of course, he is also the past Chair of the ACCA Certification Committee and assistant manager of chaplaincy services for the Georgia Department of Corrections.

I would also like to direct your attention to the letter for the record of this Committee that has been separately submitted by Chaplain Gary Friedman, Chairman of the Jewish Prisoner Services International and our ACCA Communications Committee Chair.

The American Correctional Chaplains Association represents correctional chaplains across the country from all different faith groups. In 1886, we were the first professional affiliate of the American Correctional Association. We share in the mission of protecting society by safely securing and hopefully rehabilitating inmates.

Let me begin by stating that the vast majority of chaplains, including Islamic chaplains, support the goal of providing homeland and national security.

With over 2 million men and women incarcerated across the country, terrorist recruitment in prisons and jails is indeed a potentially serious concern for our country. The religious climate in prisons today reflects that of our society with some very important distinctions. The religious diversity found across the United States is indeed seen in these prisons. We have well-known, mainstream religious represented in our prison populations, but we also encounter the lesser-known minority faith groups. We come in close contact with representatives of all these faith groups and religions.

A distinction to be made is that since prison society is lived in a closed community, we see firsthand how these faiths respond to members who are in prison. We know our local faith communities and their leaders and consult them to meet religious requirements of their members. Equity demands that we treat all religions fairly. It may be because of prisons being isolated and closed communities that minority faith groups may appear more prominent in the general prison population than they do in the rest of society. Another reason is that racial minorities are found in prison at a greater percentage so that those racial minorities with a particular faith have greater numbers in prison.

Religious programs in prisons are very active. Professional staff chaplains administer programs to respond to the religious needs of all inmates. Of civilians who choose to participate in various prison activities, the vast majority are religion program volunteers. While this may be true in most jurisdictions, there are areas of the country where those religious needs, or even rights, may be ignored or unmet due to lack of resources, distance from religious service providers, and poor administration. It is when inmates feel that they are not being treated fairly that disturbances may occur. Not all inmates may seek administrative or judicial relief to address perceived wrongs. This is one of the reasons why having a professional correctional chaplain is essential to good correctional management.

Regarding reports of prisons being infiltrated by terrorists or terrorist organizations via prison religious programs, I think these have been blown out of proportion. Yes, some relatively minor situations have been identified, but they were stopped before escalating to dangerous levels. Nonetheless, what should concern us are conditions that allow these kinds of things to happen.

Unqualified chaplains and/or inadequate supervision of programs and volunteers allow opportunities for abuse of religious programs. When these conditions are present, you have the potential for problems. The most effective way to counter such conditions is to employ certified correctional chaplains to administer religious programs. Why is this not being universally done?

There are 50 States, the Federal prison system, and thousands of regional, county, and local jurisdictions, all with differing ideas on what chaplaincy is and a variety of job requirements for chaplains. The American Correctional Association has clear standards for what is required of a chaplain.

What is a correctional chaplain? Much like our colleagues in the military and at hospitals, correctional chaplains provide pastoral

care to those who are disconnected from the general community by certain circumstances—in this case to those who are imprisoned, as well as to the correctional facility staff and their families when requested. Each correctional chaplain is also a representative of his or her faith community and is required to be endorsed by their denominational body in order to qualify as a chaplain. Correctional chaplains are professionals, with specialized training in the unique dynamics of the corrections world.

Professional chaplains also agree to abide by the ACCA Code of Ethics. Several departments of corrections across the country already subscribe to this Code of Ethics. For example, the New York City Department of Corrections recently adopted it for their own chaplains.

Let me say this concerning some recent issues here with chaplains. If you had a member following this code under Competency, Article 7, members exercise their ministry without influencing prisoners or staff to change their religious preference or faith. Members conduct their ministry without communicating derogative attitudes towards other faiths.

Another difficulty in having qualified correctional chaplains is that many States are experiencing serious budget deficits and have been eliminating or cutting back on their chaplains or replacing them with volunteers. If this were such a great idea, we wonder why this approach is not used in the legal departments. Having volunteer lawyers from the community would save many departments of corrections much money.

By having unqualified volunteers operate in prisons without proper supervision can possibly lead to terrorist infiltration. A good correctional chaplain is familiar with the faith groups and volunteers within the community, even minority faith groups. It is this personal knowledge of community religious resources which is of benefit not only to inmates but the institution as well. Additionally, properly trained chaplains can distinguish between things that may be done in houses of worship in the community, but are not appropriate in a correctional setting. If a correctional chaplain observes or witnesses anything in a worship service or a religious study that in any way appears to be a threat to the institution, he or she is obligated to report it. Unfortunately, however, this is not the case in facilities that utilize unqualified chaplains or volunteers to oversee their programs.

Finally, to fight terrorism, we must all be vigilant against our enemies wherever they might be. We professional chaplains can assist this cause by being an effective partner with all jurisdictions.

The American Correctional Chaplains Association has already proven its ability to support the correctional needs with its longstanding affiliation with the American Correctional Association. The American Correctional Chaplains Association now stands ready to further help by promoting the certification of all chaplains in prisons across the United States.

Thank you.

[The prepared statement of Mr. Rogers appears as a submission for the record.]

Chairman KYL. Thank you very much, Chaplain Rogers.

Let me begin with a couple of questions, and, Professor Waller, I would like to ask you two related questions. As Senator Sessions noted earlier, our freedom of religion is constitutionally protected. We take it very seriously in our country. How do you propose in view of that that the U.S. Government approach this matter of radical Islam as a national security threat? And as a related matter, how do you respond to those who would say that even expressing this concern indicates some kind of prejudice against Muslims generally?

Mr. WALLER. This is a very touchy subject, but in sum, we are not looking at this as a religious problem. It is a national security problem. It is a political movement. Anytime you have a movement that talks about overthrowing the Constitution of the United States in the case of a lot of the Islamists and Wahhabis, it is ultimately to see the United States governed under sharia law. That steps from the religious to the political and certainly from protected First Amendment rights to something involving, you know, crying out for national security attention.

Secondly, these groups have become very active in the political process using their religious name as a mantle for their political operations, for example, here in Washington, but have fundamentally political agendas here which are, in the cases of, say, the American Muslim Council and others, weakening U.S. counterterrorism laws, certainly the 1996 Anti-Terrorism and Effective Death Penalty Act, and other things where they are trying to work in the mainstream to convince lawmakers to weaken counterterrorism laws to the advantage of their own operatives. So this is where you bridge from the purely religious to the political, and I think if it is approached in that respect, one can press forward and try to solve the problem.

The other thing with people using the racism and bigotry argument, as we have encountered a lot, is that they are trying to silence debate on this. You see the groups in Washington, the Council on American-Islamic Relations, American Muslim Council, and others, are the lead ones crying racism and bigotry anytime an issue is brought up concerning the things we are talking about today. Certainly the founder of a lot of these groups, Abdurahman Alamoudi, who was just arrested 2 weeks ago on charges of smuggling Libyan money, financing terrorism, and using foreign money to fund his political operations here, was one of those who was saying that the arrest of the 1993 World Trade Center bombers and the trials was racist and bigoted and that the arrest of other really hard-core terrorism cases was just proof of American's racism. So you really cannot put much stock into people who don't discuss this on the issues.

Chairman KYL. Do you personally draw the distinction that was made earlier with the first panel involving what somebody labeled the mainstream Sunni and Shiite branches of Islam, do you draw the distinction that was drawn earlier between those two very large representations of Islam and the group that you would refer to as the Wahhabists or the Islamists?

Mr. WALLER. Well, the Wahhabists are a part of the Sunni denomination of Islam, but you have—a lot of the groups that operate here under Saudi funding or guidance or whatever, the individuals

who lead them are not even by their own admission observant Muslims, yet they will come to this panel or elsewhere to say how Muslim rights are being violated, or whatever else. So it is kind of like, say, Catholics for a Free Choice, which no Catholic bishop would ever say is a Catholic organization, but the organizers have an agenda that they want to push so they use that label.

The Irish Republican Army, the Provisional Irish Republican Army used that label as well, calling itself a Catholic organization, when, of course, the Catholic Bishop of Dublin condemned it as a terrorist group. So you have a lot of groups, again, using religion for their own purposes. And then some, in the case of the Wahhabis, wanting to dominate the voice of Islam and basically control the Islamic faith, not only in other countries but here as well.

Chairman KYL. Chaplain Rogers, time is short. Just one quick question. You mentioned the potential problem of contract or volunteer chaplains, not being able to vet those as well. I presume that you are referring to a potential problem and not specific cases. But do you know of any situations where there may be a problem involving terrorism or radical preaching involved in the volunteer or contract chaplains that you mentioned?

Mr. ROGERS. My experience in Wisconsin, and maybe similar to other chaplains, where you have someone contracted in that may misspeak inappropriately in a worship service in an institution, bringing in materials and content that may rile up inmates, and they would have to be counseled, or sometimes they will be—they are statused to be removed as a service provider. But as far as specific kind of recruiting potential terrorists using the natural discontent some inmates have, we don't see that, I think, across the country. I think there are certain pockets, but there is more of a problem with, let's say, the States or the people who are responsible to oversee the program aren't trained, aren't qualified.

Chairman KYL. So the vetting process is a very important part of this entire process of selecting chaplains.

Mr. ROGERS. Yes.

Chairman KYL. Thank you.

Senator Feinstein?

Senator FEINSTEIN. Thank you very much.

Mr. Sabree, you are a chaplain? Is that right?

Mr. SABREE. That is correct.

Senator FEINSTEIN. And could you tell me where you are assigned and practice?

Mr. SABREE. I am assistant manager of chaplaincy for the Georgia Department of Corrections. I have been assistant manager, also acting director, since 1988. Prior to that I served as clinical chaplain at the State's maximum security prison in Reidsville, Georgia.

Senator FEINSTEIN. Thank you very much. I wanted to ask you this question as someone who is an Islamic chaplain. I think you know about the kind of militant tilt that some have given to Islam, which is not the real Islam—shahid, jihad, a change of concepts for the purposes of really inciting violence, for practicing hate, for turning an inner struggle into an outer war. How would you advise us to beware of this? How would you advise us to be able to prevent this from happening?

Mr. Waller is not the only one, and I do a lot of open-source reading. I think there is no question but that there is an attempt to penetrate universities and prisons to develop recruitment for militant causes. With respect to the chaplaincy, how would you advise us to try to see that that does not get established inside Federal prisons, inside the Department of Defense detention facilities?

Mr. SABREE. I think that trying to maintain certain competencies, certain standards is very important, I think also getting information from reliable Islamic sources. The community I belong to under the leadership of W. Dean Mohammed is actually the largest Islamic community in America and is made up primarily of indigenous Muslims here.

Senator FEINSTEIN. Is it Shiite?

Mr. SABREE. No. It is Sunni, it is Muslim. It is not under the Shiite banner, but you would basically Sunni Muslim. But for Muslims, we regard all Muslims as ones that follow the Sumna. Basically, when you look at some of the issues that I have been listening to in terms of endorsement, those in the military, I know personally some of these people. Abdul Rashid, for instance, the first military chaplain, was a member of our community. But in order to get endorsement or get into the military chaplaincy, he had to get endorsement by the only recognized Islamic body at that time by the military, which was the American Muslim Council, even though he belonged to another group of Muslims.

And I think in terms of you have to look systematically, Islam is relatively new in America, and you don't have the educational institutions established in terms of seminaries and theological schools that allow people to have that history in terms of being educationally qualified for some of those positions. So that kind of pushes them towards those facilities, those institutions that do have those resources, and a lot of those resources are foreign-funded. And you are talking about people that do not have access to intelligence information.

If you have got such a distinguished panel here that was before us and the Senate Committee can't say who is funding these organizations, how can you expect a lone chaplain to know what was behind some of the funding of some of these groups that may have given them access to make haj, which is a fundamental principle in the religion? Prior to 9/11, September 11th, nobody viewed Saudi Arabia as a threat to the U.S. In fact, they were our allies in the first Gulf War. And to go back in time and say prior to 9/11 somebody who received some assistance to make a haj connects them to terrorists I think is basically an error in judgment. And I think that we have to continue to try to ensure that minimum qualifications and associations like the American Correctional Association, which I have been a member of for over 15 years, keeps pushing professionalism of chaplains, and in those State jurisdictions and Federal jurisdictions, you have oversight over people that are hired in those positions.

And just in my position as a supervisor over chaplains in Georgia, whenever we have any chaplain—because we can find radicals in any religion.

Senator FEINSTEIN. Right, right.

Mr. SABREE. And they can find themselves in positions, sometimes. And we have to have oversight in terms of monitoring. We have to have good supervision. We have to have good training. We have to make sure that we are not negligent in our entrustment, of what we entrust with people. We have to make sure that we are not negligent in our retention once we do find these things out. And I think that is what is needed in terms of future prevention of allowing the professionalism to go down to the point where you have all sorts of people having access to a population that is sometimes already angry and mad with the establishment. And that is where you begin to let things grow in the wrong direction.

Senator FEINSTEIN. Now, how would you ferret this out, going in the wrong direction?

Mr. SABREE. Basically by maintaining continuing supervision, continuing oversight in terms of what is actually being given in terms of chaplaincies, duties and responsibilities, and just really monitoring those activities.

Senator FEINSTEIN. Do you believe that how the organization is funded—you mentioned that because Islam is new in this country, much of the financing comes from overseas. And, of course, we know particularly with respect to militant Wahhabism that a lot of that is funded by the Government of Saudi Arabia. How would you weed out militant Wahhabism?

Mr. SABREE. By requiring that all chaplains are certified by a larger body.

Senator FEINSTEIN. A larger body than just the organizations, the three that we mentioned today?

Mr. SABREE. Yes.

Senator FEINSTEIN. Do you have any thoughts on what the larger body should be?

Mr. SABREE. Associations—take, for instance, the American Correctional Chaplains Association has a certification process. Different religious judicatories have endorsement, but certification is an ongoing process that really helps the person maintain professional standards and basically looks at personal and professional competency in terms of continuing in those lines of development.

Senator FEINSTEIN. One quick last question. My staff just showed me the Code of Ethics. Are you saying that the American Correctional Chaplains Association really should be one of the endorsing organizations that the Federal Government would use?

Mr. ROGERS. It would be—can I speak?

Senator FEINSTEIN. Of course.

Mr. ROGERS. It would be the group that would be after endorsement, generally. Sometimes the individual could be certified possibly prior to endorsement, but just like hospital chaplains, almost all hospital chaplains are certified. They seem to have a very commonly understood national standard. I don't know why we have the problem in corrections. I mentioned there are so many different jurisdictions. If all the jurisdictions said, well, we should have certified chaplains, and we are the recognized national organization that does certification for chaplains in the correctional setting. I think that would assist a lot.

Senator FEINSTEIN. I think that is very helpful.

Thank you both very much.

Chairman KYL. Senator Durbin?

Senator DURBIN. Thank you very much.

Mr. Waller, is it fair to conclude that you do not personally believe that all Muslims, people of the Islamic faith, support terrorism and violence?

Mr. WALLER. No, absolutely not. If it wasn't for a lot of Muslims here, I wouldn't know—we wouldn't have learned a lot of what we have learned.

What we found was a lot, especially Muslims who emigrated here from the Middle East and other places, fled Wahhabism, many of them. They came to the United States to build a normal life. They go to their mosque here, and all of a sudden, they find that it is being taken over by the Wahhabis. And then they—

Senator DURBIN. Would you also concede that some Muslims in that category of innocence are unfairly discriminated against because of our efforts to find the roots of terrorism?

Mr. WALLER. Everybody is. I mean, I have been stopped at the airport security eight of my last ten flights. Does that mean I have been unfairly, you know, taken aside?

Senator DURBIN. Join the crowd.

Mr. WALLER. Yes. So everybody has. So the point is everybody has to—

Senator DURBIN. But you do not think particularly that people of Muslim religion are being discriminated against, or people of Arab background because of fears of terrorism in this country?

Mr. WALLER. I think some people feel that way. I think at some levels, certainly at the FBI, they are sort of bending over the opposite way to go out of their way not to.

Senator DURBIN. Let's pursue that for a second. I have several articles that you have written here for the Washington Times and Insight magazine. One group that you have focused on was the National Coalition to Protect Political Freedom. You have written a lengthy article about this coalition, and you have identified some 15 different groups that are part of this coalition. You say of this coalition: "They have joined forces in an attempt to cripple U.S. law enforcement and to facilitate terrorist support activities inside the country." And one of the groups that you identified as part of the coalition here is a group called the American Muslim Council, and here is what you said: "The American Muslim Council and the American Muslim Foundation share the same Washington offices, attempt to enter the mainstream dialogue with Christians and Jews. In reality, the group's key man, former executive director, current board member, Abdurahman Alamoudi, publicly proclaimed in October 2000, 'We are all supporters of Hamas. I am also a supporter of Hezbollah.'"

And then in another article you make note of something which I would like to point out for the record. In June of 2002, the Director of the Federal Bureau of Investigation, Robert Mueller, a man whom I respect very much, from the San Francisco area, who I think is doing a find job, you say that he was under orders from the White House to speak to the convention of this American Muslim Council, causing a rift and division within the FBI.

Are you saying that the Director of the FBI spoke to a convention of a group that is, as you describe them, joining forces in an at-

tempt to cripple U.S. law enforcement and to facilitate terrorist support activities?

Mr. WALLER. Director Mueller was under a lot of pressure either to speak or not to speak at that council.

Senator DURBIN. He spoke.

Mr. WALLER. He did. And the FBI press office, amongst the criticism of him speaking there, issued a statement saying that the American Muslim Council is one of the most mainstream Muslim groups in America today, which is completely fallacious. The founder and head of the council and then the head of the American Muslim Foundation—

Senator DURBIN. Is under indictment.

Mr. WALLER. He is under indictment now, but he has a long public record of not only supporting Hamas, Hezbollah, but—

Senator DURBIN. But can you explain—

Mr. WALLER. —a variety—the group that tried to assassinate—

Senator DURBIN. Can you explain to me how the Director of the FBI ended up speaking to the convention of the American Muslim Council that you have identified as a terrorist sympathizer group in America? How did this happen?

Mr. WALLER. I think it because the FBI doesn't value open-source intelligence. I think it is because there is a bifurcation of the FBI between the agents on the ground and the leadership here in Washington. I know for a fact that FBI agents in the field were very upset and demoralized that their Director was—

Senator DURBIN. So you think Director Mueller made a mistake in speaking to this group?

Mr. WALLER. I think he made a big mistake.

Senator DURBIN. And you believe he was doing this, as you have written, under orders from a—let me get this. I want to correctly quote you. "Senior administration officials tell Insight"—this is what you have written—"that FBI Director Robert Mueller was under orders from an unnamed senior White House campaign strategist to appease Muslim and Arab American groups that have been complaining noisily that Federal counterterrorism efforts are impinging on their civil rights." Who was that White House strategist?

Mr. WALLER. I can't say who the strategist was, but I can only say I stand by my statement.

Senator DURBIN. You believe that someone in the White House ordered FBI Director Mueller to speak to the American Muslim Council convention in June of 2002 and that this group is at least sympathetic if not supportive of terrorism?

Mr. WALLER. It cuts both ways. Yes, it cuts through both political parties, both this and the past administration—

Senator DURBIN. No, no, no. Please stick to your party. Please answer this question. Was he addressing a group—

Mr. WALLER. He addressed a group—

Senator DURBIN. —under orders from the White House that you think is sympathetic to terrorism?

Mr. WALLER. Yes.

Senator DURBIN. Thank you.

Thank you, Mr. Chairman.

Mr. WALLER. But it goes both ways. It goes both administrations, it goes both parties.

Senator DURBIN. Thank you.

Chairman KYL. Is there anything else you want to say? In other words, we don't want to cut any witness off from explaining an answer. I think that is an important question and an important answer, and if there is anything else you would like to add, go ahead and do it.

Mr. WALLER. If I may, Senator Kyl, because Alamoudi is really the crux of what we are talking about here. He emigrated here in 1979. In the 1980's and up to 1990 he was executive assistant to the president of the SAAR Foundation in Northern Virginia. That is one of the main financers of these movements we are talking about. Later found to have—to serve as a front for international terrorist activity, and subsequently under investigation by Operation Green Quest.

He founded the American Muslim Council in 1990 and the American Muslim Foundation is in the same office building, financed by the SAAR family. In the next year, 1991, he created the American Muslim Armed Forces and Veterans Affairs Council, which was talked about today, whose purpose is to certify Muslim chaplains hired by the military.

In or about 1993, he had exerted political influence because, like any administration, they want to expand their electoral support and had somehow gotten close to people of influence in the administration, who in 1993 certified his organization as one of two vetted and endorsed Muslim chaplains.

Meanwhile, he was vocal attacking arrests of terrorists, including Mohammed Solome, who was arrested 10 days after the first World Trade Center bombing in 1993. From 1993 to 1998, the Pentagon retained Alamoudi on an unpaid basis to nominate and vet Muslim chaplain candidates for the military.

In 1994, he was complaining that the judge was picking on the 1993 World Trade Center bombers because of their religion. He was openly defending Hamas over the years. He became a naturalized—all this is before he became a U.S. citizen. He had all this access. In 1996, he became a citizen, swearing to uphold and defend the Constitution of the United States. He spoke out in response to the arrest of Hamas political leader Mousa Abu Marzook. And he illustrated his two-track approach to how he operates and how his organizations operate. Abroad it is violence; here it is working through the system.

He said, "I think if we are outside this country we can say, 'Oh, Allah, destroy America.' But once we are here, our mission in this country is to change it."

He protested Federal airline regulations concerning terrorism security. In January 2001, he attended a conference in Beirut with leaders of terrorist organizations, including Al-Qaeda. Last year, he protested the arrest of convicted cop killer Imam Jamal Abdullah Al-Amin, formerly H. Rap Brown, who twice held a senior office position within his organization.

In fact, last June, to address a previous question, June of 2002, while the FBI Director was getting ready to speak at the American Muslim Council conference, the AMC executive director, Eric Bick-

ers, was asked several times on Fox News and on MSNBC if he would denounce Hamas, Hezbollah, and Islamic jihad by name. He would not. He was asked to denounce Al-Qaeda by name. He would not. And in one instance, I believe it was on Chris Matthews, he called Al-Qaeda "a resistance movement." This is before the FBI Director spoke at the conference. This is the executive director of the organization running the conference. And then the FBI came out with a public statement calling the AMC "the most mainstream Muslim group in the United States."

Senator DURBIN. Mr. Chairman, may I say a word?

Chairman KYL. Sure, Senator Durbin.

Senator DURBIN. It is my understanding Mr. Alamoudi was not with the American Muslim Council when the FBI Director spoke to the group. Having said that, though, I find myself in a curious position here defending Director Robert Mueller, and the reason I raised this issue and made it part of this discussion is I think we need to take care with the statements we make and the witnesses we invite. Some of the things that have been said, for instance, about Director Mueller relative to his appearance before the American Muslim Council I think were out of line. I think he is a patriotic American who works night and day to keep this country safe and has reached out to the American Muslim community to try to establish some sort of relationship to help aid us in this war on terrorism.

Some of the writings of Mr. Waller would lead to the opposite conclusion, and I think they are wrong. I am not of the same party of Mr. Mueller, but I respect him greatly. I think he is doing a fine job. And I think it really is a caution to all of us to take care that when we start finding those guilty of terrorism, we don't paint with such a wide brush that we include Muslims and Muslim organizations, which may include people who have no interest in terrorism whatsoever. And I think some of the things Mr. Waller has written have gone over that line.

Chairman KYL. Well, I certainly share your sentiment that Robert Mueller is a patriotic American and have a lot of personal affection for him as well.

By the way, by way of clarification, was Alamoudi involved with CAIR at the time that—

Senator FEINSTEIN. AMC.

Chairman KYL. Or I mean AMC at the time that the FBI Director spoke? I don't know that you had said that he was, but do you know whether he was?

Mr. WALLER. He chaired the conference. He is on the board of AMC, but he left the AMC a few years ago to be day-to-day operations as head of the American Muslim Foundation, which is the 501(c)(3) part of the AMC.

Chairman KYL. Okay. But, anyway, he chaired the conference at which the FBI Director spoke.

Mr. WALLER. Yes, and the FBI indictment from a couple of weeks ago said that even though he was not officially head of the American Muslim Council, that the Federal authorities believe that he still controls the organization.

This is part of the problem of dealing with certain groups here, and it is never besmirching the Director's patriotism. It is ques-

tioning his judgment and political wisdom, and those are two—I draw a very strong distinction, because I am also an admirer of the FBI Director. But I think there is a lot of political pressure to prove that this is not a war on Islam, and I think politicians from both parties are often too anxious to get involved with or to speak before or otherwise legitimize groups that they really haven't done the background check on. And we criticized the Director at the time. I think it was the correct thing to do. I think also, in retrospect, many in the FBI believe the same because the FBI is being invited to these organizations to speak again and they are no longer sending representatives.

Chairman KYL. Okay. Well, thank you very much to all the members of this panel. I hope that we have cast some additional light on the questions that we asked at the beginning. I think we have, and I think there is a lot of follow-up that is going to be done as well.

We will be having another hearing in this series. I cannot announce the date right now, but I think in the next 2 or 3 weeks, look for another hearing of this Subcommittee on related subjects.

I thank all of you for attending, and, again, thank you to our witnesses.

[Whereupon, at 12:20 p.m., the Subcommittee was adjourned.]

[Submissions for the record follow.]

[Additional material is being retained in the Committee files.]

SUBMISSIONS FOR THE RECORD

as of 10/10/2003, 3:45 p.m.

Prepared Statement

of

The Honorable Charles S. Abell

Principal Deputy Under Secretary of Defense

(Personnel and Readiness)

Before the Terrorism Subcommittee

Senate Judiciary Committee

October 14, 2003

Not for publication until released by the subcommittee

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INTRODUCTION

Mr. Chairman and members of this distinguished Subcommittee, thank you for the opportunity to be here today and thank you for the chance to address you on the topic of officership and professionalism in the Armed Forces. There is no aspect of our officer corps more central to the success of the U. S. military, and this is true whether the officer be infantryman or aviator; chaplain, doctor or lawyer.

The levels of integrity and personal conduct required of an officer are high – and with good reason. Officers may be required to make decisions affecting millions of dollars. More importantly, their judgment and decisions may mean the difference between life and death for the troops with whom they serve. A ship's captain literally holds the crew's fate in his hands, while a lawyer in-theater reviewing the legality of proposed target selections during a ground campaign plays a similarly key role in ultimate mission success.

Recently, an Army officer, who is also a chaplain, after serving in Guantanamo was charged with violating regulations applicable to his duties. As a Department, charged with winning the nation's wars, our concern is never about an individual's specific religion. Our focus is on each individual's personal security and reliability to uphold the commissioning oath he or she takes.

OFFICERSHIP

Active duty officers come from a variety of commissioning sources, including Service academies, the Reserve Officer Training Corps programs at colleges and universities, Officer Candidate Schools or Officer Training Schools of the Services, and direct appointment for physicians and other medical specialists, attorneys, and chaplains. These civilian professionals are accessed directly into the officer corps and then attend training that focuses on their role as commissioned officers.

Each military department has a chaplain corps, composed of highly qualified men and women who become members of the armed services in order to minister to

servicemembers and their families. A military chaplain can have hundreds or thousands of 'parishioners'. Chaplains go with the troops. Over 400 military chaplains have died in combat, and some even have made the ultimate sacrifice while prisoners of war.

Chaplains are commissioned officers. They take the same oath to support and defend the Constitution as their doctor, lawyer and line officer peers. No one is more familiar than a chaplain with the meaning of an oath. The word "sacrament" is, in fact, based on a Latin word which literally means "military oath" and comes from the pledge of Roman soldiers not to desert their standard, turn their back on the enemy, or abandon their general. As with other officers, chaplains traditionally reaffirm their oath of office upon assumption of a higher rank.

My emphasis on this point of the characteristics of an officer is by no means intended to minimize the importance of the professional training and religious certification which chaplain candidates must complete. I simply want to focus on the fact that chaplains, like members of the professions of law and medicine, must initially meet the very high standards of commissioned military service. A chaplain's commission is, in fact, a discretionary appointment, based as much on his or her officership qualities as on ministerial credentialing.

INSTITUTIONAL SAFEGUARDS

There are basically three ways in which our system ensures that officers are accessed and retained based on their ability to meet standards. Those are professional credentialing, security clearances, and, once the officer is on active duty, monitoring of his or her performance.

Credentialing

I am aware that the issue of credentialing is of particular interest today. Again, I will begin with a review of the process for all officers.

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To ensure quality, a college degree is a fundamental requirement for joining the officer corps. Officer candidate programs either demand a college degree or overwhelmingly select college graduates. In addition to educational requirements, the Services employ a variety of assessments to qualify candidates for overall commissioning standards as well as for assignment within specialties which require particular aptitudes, such as nuclear engineering or aviation.

The military's system for the procurement and training of commissioned officers is specially designed to obtain individuals of high quality. The emphasis on a college degree defines a select population from which officer candidates are drawn. Aptitude measures serve to identify those with the greatest potential for success. These selection methods are designed to facilitate the commissioning and retention of individuals with high aptitude, high leadership ability, and a high overall performance level.

In the case of professions such as law, medicine, and theology, there are additional credentialing requirements. These are not instead of, but in addition to, the standards required of any officer. We began revision of the Directive for credentialing chaplains almost a year ago, and this morning I signed a memorandum putting into effect its major provisions. This new guidance clarifies several Defense policies concerning prospective chaplains and, in particular, ensures that the Department stays out of the business of "approving" religious organizations.

Our standard for a qualifying organization begins with the evaluation already defined by the Federal government in awarding Internal Revenue Service (IRS) 501(c)(3) tax exempt status. The IRS review of religious organizations includes a requirement that the practices and rituals of such an organization are not illegal or against clearly defined public policy. Then, we verify that the organization supports a lay constituency and is prepared to submit a qualified applicant for consideration.

Finally, and most importantly, we do a thorough background investigation of the individual. I will outline the security screening process in just a moment, but first must mention the last standard required by the Directive: The chaplain candidate must be willing to provide a personal affirmation to support the First Amendment rights of the

entire eligible population – that is, the military members and their dependents – regardless of the chaplain's faith or that of the individual the chaplain serves.

Security Clearances

The security screening of officer candidates is no less thorough than the review of their educational and professional credentials. Although there is some variation in the exact procedures used by the different Services, the primary vehicles are the Entrance National Agency Check, the National Agency Check, and the Local Agency Check with Credit Report all through the FBI and local agencies. More detailed reports are completed as indicated on a case-by-case basis. Applicants also complete the Electronic Personnel Security Questionnaire and must be qualified to hold a Secret clearance in order to receive a commission.

In addition, the Services verify citizenship and perform medical screening and evaluations to determine overall fitness to serve.

Monitoring

Finally, once on active duty, all officers – all military personnel – are continuously monitored in three ways: on-going evaluation by a supervisor, annual performance evaluations, and commander oversight. Each of these avenues, while possibly low key on a day-to-day basis, is a critical link in the chain of responsibility for enforcing performance standards.

To our regret, we know that pre-employment screening is not foolproof, whether it takes place in the public or the private sector. The military Services strive to enforce the highest standards of personal conduct and performance by both officers and enlisted personnel. Despite the best efforts of leadership, we are all aware of examples where individuals in all military occupational specialties fall short. It may be in relation to official duties, as in the theft of government property, or professional negligence by a physician or engineer, or it might be an off-duty offense such as assault or burglary.

While every such case is a tragedy for both the individual and the institution, we believe our system is designed to minimize these instances, and to maintain the high standards of personal ethics and behavior which we require.

Our commissioned military officers, in all fields and assignments, have consistently shown themselves to be the finest leaders and warriors in the world. Military chaplains are no exception. They have served with those fighting for the cause of freedom since the founding of our Nation, and served with distinction in support of the Nation's defense missions during every conflict in our history. Military chaplains currently serve in humanitarian operations, rotational deployments, and in the war on terrorism both at home and abroad.

CONCLUSION

People continue to be our most vital resource—certainly they are the most critical component of readiness. The intense demands we place on them require highly motivated, highly skilled, professional servicemembers. Currently, we have a total force of over 2.3 million men and women serving around the world who have sworn to protect our freedoms with their very lives, if necessary. Over 4,800 military chaplains are serving with them, meeting the needs of our troops who may worship God in different ways or not at all.

The chaplain's primary role of providing for the Constitutional right of the Free Exercise of Religion is absolutely vital. Through their role as both spiritual minister and staff member, chaplains bring a unique perspective to the health of a unit. Various studies have concluded that religion and spirituality are powerful factors in battling stress. By ministering to the spiritual health of Servicemembers and their families, the officers serving within the Chaplain Service provide a highly effective means for dealing with such stress. In a time of frequent deployments, often involving non-traditional missions, in areas of the world where religious conflict prevails, these officers are especially important members of the commander's staff.

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Mr. Chairman, this concludes my statement. I would like to thank you again for the opportunity to address the Subcommittee and to express appreciation to the Subcommittee for your support for the men and women of the Department of Defense.

Statement for the Record
Graduate School of Islamic and Social Sciences
Leesburg, Virginia

for the
Senate Judiciary Committee,
Subcommittee on Terrorism, Technology,
and Homeland Security

October 2003

The Graduate School of Islamic and Social Sciences teaches the advanced social sciences in an Islamic context. The founders of the School, and those who are employed to teach there, abhor violence and extremism of any kind. They do not believe in, ascribe to, or advocate wahabbism, salafism or any other extremist viewpoint now associated with terrorism. The social sciences (e.g., economics) originate from a secular and philosophical base; not from a religious viewpoint.

The School is not now, and never has been, funded by the Saudi Arabian government, or by individual Saudi Arabians. Its most visible founder and teacher, Taha Al Awani, is an Iraqi who, having fled Iraq after having been imprisoned for his liberal political views, embraced America decades ago. He is known worldwide for his liberal to moderate beliefs, writing, and teachings. Consequently, not only does Saudi Arabia not fund or endorse the School, it actively discourages donations to the school–financial or otherwise. It perceives the School as an outlaw to the traditional teachings of Islam because it teaches–in their words–"American Islam," and through its Embassy, has made many statements to that effect.

Nor does the School benefit financially from the Chaplaincy program. To the contrary, we have offered scholarships and financial assistance to our chaplaincy students to enable them to benefit from the best education and learning experience in advanced Islamic studies available. This is to benefit our country and to help integrate the Muslim community into the larger American society, which, of course, includes serving in the military.

Nine of the twelve Muslim chaplains proudly serving their country in three branches of the military were trained or endorsed by the School. They are in the best position to speak about the School and the education they received there, but to the best of our knowledge they, like the School, were given no opportunity to be heard, or to defend against these false accusations.

With all due respect, the Subcommittee fell short of what we believe and teach–the American values of due process and equal treatment under the law–by accepting as fact demonstrable lies, without giving the School or its students any opportunity to be heard. And although great harm was done to the School *and* its former and current students, who were shocked and hurt by what they saw on C-SPAN, even more harm was done to our belief in American values and institutions.

JON KYL
U.S. SENATOR FOR ARIZONA
NEWS

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FOR IMMEDIATE RELEASE
October 14, 2003

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Kyl Committee Examines Recruitment, Training of Muslims in Military, U.S. Prisons

Government Witnesses, Experts To Testify on Potential Dangers

WASHINGTON, D.C. – U.S. Senator Jon Kyl (R-AZ), chairman of the Senate Judiciary Subcommittee on Terrorism and Homeland Security, today said he hoped his hearing into the recruitment of Muslim clerics by the military and U.S. prison system would lead to a change in procedures used by these government entities to deter the potential for terrorist infiltration.

"It is unacceptable for our government to utilize organizations suspected of terrorist ties to recruit Muslims for sensitive positions in our military and prison systems," said Kyl.

"In recent weeks, one of the key architects of the U.S. military's chaplain program, Abdurahman Alamoudi, was arrested and charged with an illegal relationship with Libya, long a state sponsor of terror. Authorities have also charged Captain James Yee, a Muslim clergyman once stationed at Guantanamo Bay, Cuba, with two counts of mishandling classified information. More charges may be forthcoming.

"As witnesses will attest today, foreign states have financed and a radical Islamic movement called Wahhabism has promoted the infiltration of extremists into American society. The question is whether this movement has also influenced the recruitment and training of the chaplaincy of our armed forces and prison systems, the latter of which is a ready-made forum for recruiting disaffected citizens. Our government needs to take this growing threat extremely seriously and take immediate steps to curtail it."

Witnesses testifying today include: Charles Abell, Under Secretary for Personnel and Readiness, Department of Defense; John Pistole of the FBI's Counterterrorism Division; Harley Lappin, director of the U.S. Bureau of Prisons; Michael Waller, Annenberg Professor of International Communications at the Institute of World Politics; Paul Rogers, President of the American Correctional Chaplains Association; and Mr. A. J. Sabree, Treasurer, American Correctional Chaplains Association.

The first panel of witnesses will represent the U.S. government. A second panel will connect the dots between Muslim cleric recruitment and terrorist sympathizers.

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Department of Justice

STATEMENT

OF

HARLEY G. LAPPIN
DIRECTOR
FEDERAL BUREAU OF PRISONS

BEFORE THE

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

CONCERNING

TERRORIST RECRUITMENT AND INFILTRATION IN THE UNITED STATES:
PRISONS AND MILITARY AS OPERATIONAL BASE

PRESENTED ON

OCTOBER 14, 2003

STATEMENT OF HARLEY G. LAPPIN
DIRECTOR, FEDERAL BUREAU OF PRISONS
BEFORE THE
SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY
SENATE COMMITTEE ON THE JUDICIARY

October 14, 2003

Chairman Kyl and Members of the Subcommittee:

I am pleased to appear before you today to discuss the efforts the Federal Bureau of Prisons has taken to ensure we are preventing the recruitment of terrorists and extremists in our Federal prisons.

The Bureau of Prisons (BOP) is responsible for the custody and care of more than 172,000 Federal inmates confined in 103 Federal prisons and in a number of facilities operated by private agencies and by State and local governments. Our mission is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure; and to provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

We understand the importance of controlling and preventing the recruitment of inmates into terrorism. We also acknowledge that this is an evolving issue, especially as it relates to the

relationships between terrorism, certain radical or extremist ideologies, and the penchant of those who adhere to these ideologies to recruit others to their positions. We continue to evaluate our policies and practices and are open to recommendations to make improvements in this area.

The Bureau is a playing a significant role in our Nation's war on terrorism. Our practices in institution security and inmate management are geared toward the prevention of any violence, criminal behavior, disruptive behavior, or other threats to institution security or public safety, including the radicalization of inmates. We have taken a number of measures over the last several years to ensure we are preventing disruption in our facilities, to include eliminating most inmate organizations in order to control the influence that outside entities have on Federal inmates, enhancing our information and monitoring systems, enhancing our intelligence gathering and sharing capabilities, and more effectively identifying and managing inmates who could perpetrate disruption.

We continue to confine and successfully manage a number of convicted terrorists in our custody. We are also actively engaged in a number of specific initiatives to ensure that

Federal inmates are not recruited to support radical organizations or terrorist groups while incarcerated.

We know that inmates are particularly vulnerable to recruitment by terrorists and that we must guard against the spread of terrorism and extremist ideologies. Our agency has taken significant measures to combat radicalization of prisoners by other inmates.

We have been managing inmates with ties to terrorism for over a decade by confining them in secure conditions and monitoring their communications closely. We have established a strategy that focuses on the appropriate levels of containment and isolation to ensure inmates with terrorist ties do not have the opportunity to radicalize or recruit other inmates.

All inmates with terrorist ties are clearly identified and tracked in our information systems. The most dangerous terrorists are housed under the most restrictive conditions allowed, and many of these inmates are in our most secure facility, the Administrative Maximum United States Penitentiary in Florence, Colorado.

We monitor and record all communications involving inmates with terrorist ties and we share any relevant information with the FBI, the National Joint Terrorism Task Force (NJTTF), and other intelligence agencies following established procedures. In addition, our institutions work closely with the Local Joint Terrorism Task Forces to share information and intelligence about these inmates.

The Bureau has worked diligently, particularly over the last 2 years, to enhance our intelligence gathering and sharing capabilities in order to ensure a seamless flow of intelligence information between the Bureau and these other law enforcement and counter-terrorism agencies. The BOP has a full-time employee assigned to the NJTTF to facilitate our involvement on this task force and exchange any intelligence related to corrections.

In addition to containing and isolating inmates who could attempt to radicalize other inmates, we employ a second very important strategy in lessening the opportunities for recruiting inmates to radical causes. We provide inmates with a wide variety of programs that have proven to give them the knowledge, skills, and abilities that they need to become productive, law abiding citizens when they are released from prison. The substantial proportion of inmates who actively participate in these programs

are less susceptible to being radicalized because they have invested in a future in mainstream society when they return to the community. The programs we provide include work in prison industries and other institution jobs, vocational training, education, substance abuse treatment, other skills-building (pro-social values) programs, and religious programs.

We are required by the Constitution as well as the Religious Freedom Restoration Act (recently expanded by Congress under the Religious Land Use and Institutionalized Persons Act to cover the States) and crime-reduction objectives to provide religious programs to Federal inmates. We believe these programs are consistent with our other efforts to prepare inmates for a successful return to society.

Among the many programs offered to inmates in the Bureau of Prisons are the religious programs and chaplaincy services we provide to the approximately 30 faiths represented within the population. Within the constraints of security, we provide worship services, study of scripture and sacred writings, and religious workshops; and we make accommodations to facilitate observances of holy days. Full-time, civil service chaplains in the Bureau of Prisons lead worship services and provide pastoral care and spiritual guidance to inmates; and they oversee the

breadth of religious programs and monitor the accommodation provided by contract spiritual leaders and community volunteers. All indications are that the overwhelming majority of inmates participate in religious programs in a positive, healthy, and productive way.

There are approximately 9,600 Muslim inmates, which is 5.5 percent of the inmate population. (This figure does not include inmates who belong to American adaptations of Islam such as the Nation of Islam or the Moorish Science Temple). The percent of Federal inmates who identify themselves as Muslim has remained very stable for close to a decade.

We currently employ 231 full-time, civil service chaplains; 10 of these chaplains are Muslim Imams. We have approximately 12,000 contractors and volunteers nationwide providing a variety of services, religious and otherwise. In the BOP, 56 contractors provide services to Islamic inmates, some at more than one BOP facility. We also have 80 volunteers who assist with Islamic religious programs or studies. We screen all staff, volunteers, and contractors to avoid hiring or contracting with anyone who is likely to pose a threat to institution security.

BOP civil service chaplains must meet all the requirements for employment as a Federal law enforcement officer, including a field investigation, criminal background check, reference check, drug screening, a pre-employment suitability interview, and a panel interview. In addition, chaplains must meet requirements unique to their discipline.

The additional requirements for a Bureau chaplain are (1) successful completion of an undergraduate degree and a Master of Divinity degree or the equivalent from a seminary or school of theology, (2) ordination or membership in an ecclesiastically-recognized religious institute, (3) at least 2 years of experience as a religious or spiritual leader in a congregation or specialized ministry setting, (4) endorsement by a recognized endorsing organization, and (5) a demonstrated willingness and ability to provide and coordinate religious programs for inmates of all faiths.

The BOP expects chaplains to provide a full spectrum of programs and practices across multiple religions. For example, a Roman Catholic priest has the responsibility to facilitate religious worship for Jewish, Protestant, Muslim, and Buddhist inmates as well as present to Catholic inmates the full spectrum of Catholic belief. Chaplains, like all BOP employees, are strictly

prohibited from using their position to condone, support, or encourage violence or other inappropriate behavior.

Concerns have been expressed that we are not providing Muslim inmates with the range of beliefs and practices in Islam. We appreciate that there are different schools of thought within the sects of the Islamic faith and, in recent years, we have attempted to broaden our services to Muslim inmates. For example, we became aware of the Islamic Supreme Council of America (ISCA) in late 2001. We initiated a series of meetings with ISCA executives, and we invited the founder of ISCA to address our chaplains at a training conference held this past spring. We also accepted a significant amount of donated materials from ISCA, and we purchased an eight volume collection of ISCA publications for each of our institutions.

Religious contractors and volunteers are also subject to a variety of security requirements prior to being granted access to the institution including: criminal background checks; law enforcement agency checks to verify places of residence and places of employment; a fingerprint check; vouchering of employers over the previous 5 years; and drug testing.

Contractors provide a clearly-defined service averaging 4 to 8 hours per month. Contractors of the Islamic faith provide instruction and prayer leadership for Muslim inmates. Muslim contractors may or may not be Imams or Muslim clerics.

Our religious volunteers assist and augment the services of civil servant chaplains and contractors in our institutions. Contractors and volunteers are only authorized to address the specific religious areas of inmates of their own faith tradition, therefore, they are not required to meet an academic or ministerial professional level required of our chaplains.

Contractors and volunteers study and pray with the inmates of their own faith, counsel them in their faith, and help ensure the Bureau is meeting these inmates' religious needs.

In addition to the criminal background check conducted on all contractors and volunteers, the Bureau is working closely with the National Joint Terrorism Task Force in the enhancement of our screening of contractors, volunteers, and endorsing organizations.

We are also being alerted by the NJTTF agencies of any individual who has any potential to enter a Federal prison, such as a

contractor, volunteer, or visitor who may be tied to an organization under investigation or may be involved in inappropriate activities.

The BOP is committed to providing inmates with the opportunity to practice their faith while at the same time ensuring that Federal prisoners are not radicalized or recruited for terrorist causes. The support that has been provided by the FBI, the agencies represented on the National Joint Terrorism Task Force, other components of the Department of Justice, and many other members of the law enforcement and intelligence communities has been invaluable in our efforts in this area.

Chairman Kyl, this concludes my formal statement. I would be pleased to answer any questions you or other Members of the Subcommittee may have.

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NANCY LUQUE
Email: nl@luqueshelnbach.com
Admitted in DC and CA

October 16, 2003

VIA FACSIMILE AND FIRST-CLASS MAIL

Senator Jon Kyl, Chair
Subcommittee on Terrorism, Technology and Homeland Security
730 Hart Senate Building
Washington, DC 20510

RE: Statement for the Record,
Submitted by the Graduate School of Islamic and Social Sciences

Dear Senator Kyl:

I represent the Graduate School of Islamic and Social Sciences in Leesburg, Virginia. I attended the October 14th hearing, after learning of it the day before it was scheduled. As you are already aware, the School was mentioned many times during the course of the hearing by the members of your Subcommittee. Unfortunately, the information that has been provided to the Subcommittee about the School is patently false. As a result, many of the statements made about the School, primarily by Senator Schumer, were ill-informed.

Even more disturbing is the fact that, despite Senator Schumer's statements that all parties were invited so that "we could learn the truth", the School was given no opportunity whatsoever to speak or, as it turned out, to defend itself. Not only was no one from the School invited to attend or speak, there were no witnesses with first-hand knowledge of the School or its program who could have set the record straight. And as Senator Schumer knows, despite my repeated attempts, by letters and phone calls to his staff to provide him with the facts, he has made no effort to hear from the other "side" before mislabeling the School as "wahhabi," and (falsely) associating it with Saudi Arabia.

Accordingly, I asked Stephen Higgins of your staff whether I could submit a statement on behalf of the School, and was advised that I could, via this letter to your Subcommittee. I ask that you make this letter, and the attached statement, a part of the hearing record, and that you post it on the internet site, along with the written statements of the witnesses.

Yours truly,

Nancy Luque /dmc

Nancy Luque

Encl.

بسم الله الرحمن الرحيم

In the name of Allah, Most Gracious, Most Merciful

NORTH AMERICAN ISLAMIC TRUST, INC

745 McClintock Drive, Suite 114 ~ Burr Ridge, Illinois 60527
Phone (630) 789-9191 ~ Fax (630) 789-9455

October 17, 2003

The Honorable Senator John Kyl
Chairman
Senate Subcommittee on Terrorism, Technology and Homeland Security,
United States Senate Committee on the Judiciary –
Terrorist Recruitment and Infiltration in the United States: Prisons and Military as an Operational Base,
c/o Daniel Satterlee, 325 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Kyl and Subcommittee Members:

On behalf of the North American Trust, Inc. (NAIT), may I refer to the October 14, 2003 hearings held under your chairmanship on "Terrorist Recruitment and Infiltration in the United States: Prisons and Military as an Operational Base", and draw attention of you and the honorable members of the Senate Committee to the Statement for the Record by J. Michael Waller of the Institute of World Politics.

We note that Mr. Waller mentions the North American Islamic Trust (NAIT) twice (in total) in his Statement and in both instances makes factual errors that need to be corrected. To highlight:

Most Grievous Factual Inaccuracy: The North American Islamic Trust (NAIT) was not raided during Operation Green Quest in 2002.

It is our earnest hope that the above highlighted factual inaccuracy is not a representative of what Mr. Waller developed when he said "Much of the research has been done with the staff of the Center for Security Policy."

Please find attached a **Memorandum of Corrections** wherein factual inaccuracies in Mr. Waller's Statement are identified and facts presented. I would like the Memorandum of Corrections and this letter to be made part of the Record for the subject hearings on "Terrorist Recruitment and Infiltration in the United States: Prisons and Military as an Operational Base."

I thank you for this opportunity to correct the record.

Sincerely,

M. Naziruddin Ali
General Manager,
North American Islamic Trust, Inc. (NAIT)

Also E-mailed & faxed on 10.17.2002

Memorandum of Corrections

On Behalf of
The North American Islamic Trust, Inc. (NAIT)

For The Record
of

Senate Subcommittee on Terrorism, Technology and Homeland Security

"Terrorist Recruitment and Infiltration in the United States:
Prisons and Military as an Operational Base"
held on October 14, 2003

October 17, 2003

M. Naziruddin Ali
General Manager,
North American Islamic Trust, Inc. (NAIT)
745 McClintock Drive, Suite 114
Burr Ridge, IL 60527

Memorandum of Corrections
On Behalf of
The North American Islamic Trust, Inc. (NAIT)

Statement of J. Michael Waller: All (two) mentions of NAIT are excerpted hereunder:

"An organ of ISNA, the North American Islamic Trust (NAIT) has physical control of most mosques in the United States. NAIT finances, owns, and otherwise subsidizes the construction of mosques and is reported to own between 50 and 79 percent of the mosques on the North American continent."

"An organ of ISNA, the North American Islamic Trust (NAIT), raided during Operation Green Quest in 2002 on suspicion of involvement in terrorist financing, has physical control of most mosques in the United States. NAIT finances, owns, and otherwise subsidizes the construction of mosques and is reported to own between 50 and 79 percent of the mosques on the North American continent."

Most Grievous Factual Inaccuracy:

The North American Islamic Trust (NAIT) was not raided during Operation Green Quest in 2002.

Facts:

NAIT is a non-profit *Waqf*, the historical Islamic equivalent of an American trust/endowment. It facilitates the realization of American Muslims' desire for a virtuous and happy life in compliance with the American law and the very best Islamic traditions of adherence to *Shari'ah* (Islamic law) in a tolerant and judicious manner.

NAIT accepts titles to endowed properties for the benefit of the local Muslims to facilitate conformity to the purposes that their founders established them for, and to avert their neglect or disposition. NAIT does not administer or control the institutions, nor interfere in the communities' activities that use these properties. NAIT holds titles to less than 300 centers. Total number of mosques/centers is somewhere between 1000 and 2000.

NAIT is an independent Indiana corporation, and is not a subsidiary of the Islamic Society of North America (ISNA).

Statement for the Record
John S. Pistole
Assistant Director, Counterterrorism Division,
Federal Bureau of Investigation

Before the

Senate Judiciary Committee,
Subcommittee on Terrorism, Technology,
and Homeland Security

October 14, 2003

Good Morning Chairman Kyl, and other distinguished members of the Subcommittee. On behalf of the FBI, I would like to thank you for this opportunity to address the FBI's role in the prevention of terrorist recruitment within the United States correctional system and the FBI's role in the recent arrests related to Guantanamo Bay detainees. I will discuss the FBI's role in limiting the ability of terrorists to recruit in the United States penal system. I will conclude with information concerning the FBI's response to the recent arrests surrounding a Guantanamo Bay chaplain and translators.

FBI CHANGE IN FOCUS

As Director Mueller stated during his June 18, 2003 testimony before the House of Representatives Committee on Appropriations, the FBI must transform its "intelligence effort from tactical to strategic..if [it] is to be successful in preventing terrorism and more proactive in countering foreign

intelligence adversaries and disrupting and dismantling significant criminal activity."

Following the events of September 11, 2001, the FBI changed its focus, making counterterrorism its highest priority and redirecting resources accordingly. The emphasis was placed on intelligence with prevention as our primary goal. Counterterrorism investigations have become intelligence driven. Criminal investigations into these matters are considered tools to achieve disruption, dismantlement, and prevention.

INTERVENTION IN CORRECTIONAL INSTITUTIONS

In my opinion, Al-Qa'ida remains the greatest terrorist threat to the United States and our allies' interests around the world. Certainly, this terrorist organization is seeking to recruit human sources within the United States, as demonstrated by their training manuals. These terrorists seek to exploit our freedom to exercise religion to their advantage by using radical forms of Islam to recruit operatives. Unfortunately, U.S. correctional institutions are a viable venue for such radicalization and recruitment.

Other extremist groups have been following this blueprint. Since 1979, the Aryan Nations, a violent, neo-Nazi, white supremacist organization, has been engaged in prison recruiting. This is an important aspect of the Aryan Nations' agenda given that many of its members are serving lengthy prison sentences. The Aryan Nations conduct extensive prison outreach through

correspondence from area chapter members. Their leaders visit prison facilities specifically for the purpose of recruiting members, promoting racial intolerance and hatred, and spreading neo-Nazi propaganda.

Terrorist sympathizers may do the same. One such instance involved Warith Deen Umar, the Administrative Chaplain for the State of New York Department of Corrections. A Radical Muslim, Umar denied prisoners access to mainstream imams and materials. He sought to incite prisoners against America, preaching that the 9/11 hijackers should be remembered as martyrs and heroes. Umar has since been banned from ever entering a New York State prison. To assist in ferreting out potential terrorist radicalization issues within the Federal Bureau of Prisons system, the Federal Bureau of Prisons maintains a presence on the National Joint Terrorism Taskforce.

Recruitment of inmates within the prison system will continue to be a problem for correctional institutions throughout the country. Inmates are often ostracized, abandoned by, or isolated from their family and friends, leaving them susceptible to recruitment. Membership in the various radical groups offer inmates protection, positions of influence and a network they can correspond with both inside and outside of prison.

GUANTANAMO BAY ISSUES

The FBI is working directly with the Department of Defense on issues

surrounding the recent arrests of translator, Senior Airman Ahmad I. al-Halabi on July 23, 2003 in Jacksonville, Florida; chaplain, Captain James J. Yee on September 10, 2003; and translator, Ahmed Fathy Mehalba on September 29, 2003. The FBI considers these matters potentially serious breaches of national security and will continue to work jointly with the Department of Defense in order to successfully resolve these matters and limit the damage they may have caused.

The FBI is also working with both the Department of Defense and the Federal Bureau of Prisons to assess the mechanisms by which chaplains and translators are vetted for employment. In addition, the FBI is evaluating the protocols for ongoing security assessments of such employees during sensitive assignments, such as more frequent polygraph examinations.

CONCLUSION

Terrorism represents a global problem. The solution is grounded in what we have experienced since September 11, 2001, unprecedented international cooperation and coordination. The threat terrorism poses must always be considered imminent. The FBI must constantly look at mechanisms to gather intelligence, and, in forging partnerships with local, state, and federal law enforcement and correctional agencies, the FBI has made considerable progress toward achieving and implementing these abilities.

Again, I offer my gratitude and appreciation to you, Chairman Kyl and the distinguished members of the Subcommittee, for dedicating your time and effort in addressing this vitally important issue. I would be happy to respond to any questions you may have.

October 12, 2003

U. S. Senate Committee on the Judiciary
Subcommittee on Terrorism, Technology and Homeland Security
224 Dirksen Senate Office Building
Washington, DC 20510

From: Paul E. Rogers, President of the American Correctional Chaplains Association

Re: Testimony for hearing on "Terrorism: Radical Islamic Influence of Chaplaincy of the U.S. Military and Prisons."

Dear Chairman Kyl and Honorable Committee Members:

Allow me to address the prison chaplaincy side of this issue.

I am Paul Rogers, President of the *American Correctional Chaplains Association* (ACCA) and Staff Chaplain at Wisconsin Department of Corrections Dodge Correctional Institution, Waupun, WI.

I have with me today, Imam A. J. Sabree, Treasurer of the *American Correctional Chaplains Association* and past Chair of the ACCA Certification Committee and Assistant Manager of Chaplaincy Services for the Georgia Department of Corrections.

I would also like to direct your attention to the letter for the record of this committee that has been separately submitted by Chaplain Gary Friedman, Chairman of Jewish Prisoner Services International and ACCA Communications Committee Chair.

The *American Correctional Chaplains Association* (ACCA) represents correctional chaplains across the country from all different faith groups. As the very first professional affiliate (1886) of the *American Correctional Association,* we share in the mission of protecting society by safely securing and hopefully rehabilitating inmates.

Let me begin by stating that vast majority of chaplains – including Islamic chaplains- support the goal of providing homeland and national security.

With over 2 million men and women incarcerated across the country, terrorist recruitment in prisons and jails is indeed a potentially serious concern for the country. The religious climate in prisons today reflects that of our society with some very important distinctions. The religious diversity found across the United States is indeed seen in prisons. We certainly have well known, 'mainstream' religions represented in our prison populations but we also encounter the lesser known minority faith groups. We come in close contact with representatives of all these faith groups or religions. A distinction to be made is that since prison society is lived in a closed community, we see first hand how many faiths respond to members who are prison. We know our local faith communities and their leaders and consult them to meet the religious requirements of their members. Equity demands that we treat all religions fairly. It may be because of prisons being isolated and closed communities that

minority faith groups may appear more prominent in the general prison population then they do in the rest of society. Another reason is that racial minorities are found in prison at a greater percentage, so those racial minorities with a particular faith have greater numbers in prison.

Religious programs in prison are very active. Professional staff chaplains administer programs to respond to the religious needs of all inmates. Of civilians who choose to participate in various prison activities, the vast majority is Religious Program volunteers. While this may be true in most jurisdictions, there are areas of the country where those religious needs or even rights may be ignored or unmet due to lack of resources, distance from religious service providers, and poor administration. It is when inmates feel that they are not being treated fairly that disturbances may occur. Not all inmates may seek administrative or judicial relief to address perceived wrongs. This is one of the reasons why having a professional correctional chaplain is essential to good correctional management.

Regarding reports of prisons being infiltrated by terrorists or terrorist organizations via prison religious programs, these have been blown way out of proportion. Yes, some relatively minor situations have been identified but they were stopped before escalating to dangerous levels. Nonetheless, what should concern us are conditions that can allow these kinds of things to happen.

Unqualified chaplains and/or inadequate supervision of programs and volunteers allow opportunities for abuse of religious programs. When these conditions are present, you have the potential for problems. The most effective way to counter such conditions is to employ certified correctional chaplains to administer religious programs. Why is this not being universally done?

There are 50 states, the federal prison system and thousands of regional, county and local jurisdictions; all with differing ideas on what chaplaincy is and a variety of job requirements for chaplains. The *American Correctional Association* (ACA) has clear standards for want is required of a chaplain. What is a correctional chaplain?

> "Much like our colleagues in the military and at hospitals, correctional chaplains provide pastoral care to those who are disconnected from the general community by certain circumstances – in this case to those who are imprisoned, as well as to correctional facility staff and their families when requested. Where permitted, we also minister to the families of prisoners.
> Each correctional chaplain is also a representative of his or her faith community and is required to be endorsed by their denominational body in order to qualify as a chaplain.
> Correctional chaplains are *professionals*, with specialized training in the unique dynamics of the corrections world. Most serve as full-time correctional facility employees or part-time contract employees." [1]

Professional chaplains also agree to abide by the ACCA Code of Ethics (attachment hereto.) Several departments of corrections across the country already subscribe to this code of ethics. For example, the New York City Department of Corrections recently adopted it for their own chaplains.

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[1] ACCA definition of the role of the chaplain. See correctionalchaplains.org

Another difficulty in having qualified correctional chaplains is that many states are experiencing serious budget deficients and have been eliminating or cutting back on their chaplains or replacing them with volunteers. If this were such a great idea, we wonder why this approach is not used in the legal departments; having volunteer lawyers from the community would save many departments of corrections much money!

By having unqualified volunteers operate in prisons without proper supervision can possibly lead to terrorist infiltration. A good correctional chaplain is familiarity with the faith groups and volunteers within the community, even minority faith groups. It is this personal knowledge of community religious resources, which is of benefit to not only inmates but the institution as well. Additionally, properly trained chaplains can distinguish between things that may be done in houses of worship in the community but are not appropriate in a correctional setting. If a correctional chaplain observes or witnesses anything in a worship service or a religious study that in anyway appears to be a threat to the institution, he or she is obligated to report it. Unfortunately, however, this is not the case in facilities that utilize unqualified chaplains or volunteers to oversee religious programs.

To fight terrorism, we must all be vigilant against our enemies wherever they might be. We, professional chaplains, can assist this cause by being an effective partner with all jurisdictions.
The *American Correctional Chaplains Association* has already proven its ability to support the correctional needs with its long-standing affiliation with *the American Correctional Association*. The *American Correctional Chaplains Association* now stands ready to further help by promoting the certification of all chaplains in prisons across the United States.

AMERICAN CORRECTIONAL CHAPLAINS ASSOCIATION
CODE OF ETHICS

Members of the American Correctional Chaplains Association are available for ministry to all prisoners and staff in jails, prisons, and other institutions in which they serve. Such ministry and outreach will be extended to all regardless of race, cause of confinement, sexual identity, creed, or religious belief.
The following are areas in which members are available to assist:

1. Identify and utilization of the person's spiritual resources
2. Clarification of their ethical standards and guidance for behavior in harmony with their spiritual values.
3. Guidance in deepening their sense of personal worth
4. Enhancement of their relationship to their deity, to their family, and to society.

PRINCIPLE I

PERSONAL CONDUCT AND ETHICS

All members are spiritual leaders, other than inmates, who participate in ministry to the incarcerated. All Association members, volunteer or employed by the institution, uphold the highest personal conduct. Unethical conduct that clearly violates the explicit agreement to abide by the acts of discipline described in this Code shall be grounds for disassociation by the members of this Association.

PRINCIPLE II

PROFESSIONAL PRACTICES

All members practice their ministry task as pastoral care providers through various religious activities. Chaplains function as religious professionals within the correctional setting and do not undertake roles that are contrary to that of pastoral care provider. They are empowered by their religious judicatory to administer ordinances and/or sacraments, to counsel, and to provide worship and religious services for youth or adults in detention and correctional settings.
All members make use of their skill and training to maintain the integrity and enhance the image of religious ministry in a correctional setting.

PRINCIPLE III

CONFIDENTIALITY

Confidentiality is respected by all members, Oral and written communication is received with the expectation that such remains confidential and not divulged to others. An exception may be made where the content of such communication reveals danger to staff or prisoners and the prisoner is informed of the need for disclosure.
Religious faiths hold that confidentiality by their clergy or those with parallel designation is a sacred trust. The Seal of the Sacrament of Confession and parallel requirements by all faith groups in matters of confidentiality are recognized and respected.

PRINCIPLE IV

PROFESSIONAL DEVELOPMENT

Members continue professional development in personal growth, education, spirituality and understanding of correctional issues. This development includes participation in meetings and training opportunities provided by this Association.

PRINCIPLE V

FAITH GROUP RELATIONSHIPS

Members meet and maintain requirements set by their particular faith groups. Members maintain ties with their religious faith groups for purposes of support, vocational identity, accountability, evaluation, and fellowship.
Chaplains are those members who are ordained or have parallel designation, or otherwise vocationally identified, for correctional chaplaincy by their religious judicatory or its designated endorsing body representing the faith group. Chaplains are thus authorized for religious ministry within jails or prisons as designated representatives the faith group.
Volunteers, lay and ordained or who have parallel designation, have approval from their religious judicatory or appropriate religious superior in the faith group to serve as a volunteer representing the faith group in a jail or prison.
Members participate in a network or adherents to other faith groups for purposes of common concerns of correctional chaplaincy, sharing of training opportunities, informing the community of needs and objectives of correctional chaplaincy, and fellowship.

PRINCIPLE VI

INTERDISCIPLINARY RELATIONSHIPS

Members relate to and cooperate with persons from other professional disciplines in their work environment and community. The welfare of an individual may be enriched and enhanced by consultations and referrals by members to professionals from other disciplines.

PRINCIPLE VII

COMPETENCY

Members are responsible for effective ministry within the institution they serve, whether responsibility is for the overall program or for one part of it.
Members exercise their ministry without influencing prisoners or staff to change their religious preference or faith. Members conduct their ministry without communicating derogative attitudes toward other faiths.
Chaplains process all prisoner requests promptly, in order of urgency and without bias.
Chaplains balance administrative duties with direct ministry through individual or group activities, which include religious services, spiritual activities, and pastoral counseling.

PRINCIPLE VIII

RESPONSIBILITY

Members are primarily involved in matters directly related to the religious portion of the prisoners' institutional life and rehabilitation.
Members maintain the highest ethical standard of behavior and avoid any social, personal, financial, or political situation that might discredit their ministry.
Chaplains are responsible for planning, coordinating, and supervising all religious activities and services. They are responsible for ministry to prisoners regardless of religious beliefs or affiliation, using outside sources for assistance when needed.
Chaplains are responsible for preventing and correcting institutional policies and actions which distort, misuses, or suppress religious tenets and principles of all faith group adherents.
Chaplains uphold and promote standards for religious faith and practice within the institution which are in harmony with the Standard for Faith and Practice devised by this Association for youth and adult detention and prison institutions.
(Ballot Adoption Announced January 20, 1992, Portland, Oregon)

New York's Senator
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FOR IMMEDIATE RELEASE
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SCHUMER CHASTISES SLOW RESPONSE TO PROBE CHAPLAIN PROGRAMS IN PRISONS AND MILITARY

At Judiciary Hearing, Schumer presses need for speedy review of the chaplain programs in the military and federal prison system

Schumer: "There's a lot of smoke coming from the chaplain programs in the military and the prisons. We don't know if there's fire but we need to get to the bottom of it quickly."

The Senate Judiciary Subcommittee on Terrorism, Technology, and Homeland Security held a hearing today on "Terrorism: Radical Islamic Influence of Chaplaincy of the U.S. military and prisons." US Senator Charles Schumer made the following statement:

Generations of immigrants dating back to the first Americans have come to this land seeking to escape religious persecution. And we have honored this tradition by making freedom of worship one of our nation's most sacred rights.

Seven months ago, I wrote letters to the Inspectors General of the Federal Bureau of Prisons and the Department of Defense because I feared that these rights were in danger. I had discovered that the few groups charged with certifying Muslim chaplains in these institutions had several disturbing ties to a puritanical and intolerant form of Islam known as Wahhabism. The official state religion in Saudi Arabia, Wahhabism also provides part of al Qaeda's ideological foundation.

Far from endorsing the pluralist approach to religious belief that we all hold dear, Wahhabism espouses an extremist, anti-Western, exclusionary religious doctrine and denigrates other faiths, be they other forms of Islamic belief such as moderate Sunni, Shi'a and Sufi Islam, or Christianity and Judaism.

I became concerned that these other forms of Islamic belief – peaceful and inclusive spiritual ideals held by the majority of American Muslims -- were not being given the opportunity to express themselves. So I asked the Inspectors General to investigate the groups responsible for certifying the military and prison chaplains. As I told them in the letters, my own preliminary digging had uncovered some disturbing results.

One group, the Islamic Society of North America, had on its governing board a man named Siraj Wahhaj. Mr. Wahhaj is an un-indicted co-conspirator in the World Trade Center '93 bombing the FBI now believes

was masterminded by one of Osama bin Laden's top Lieutenants. Another, the Graduate School for Islamic Social Sciences, is under investigation for terrorist financing. And the third, the American Muslim Armed Forces and Veterans Affairs Council, is a subgroup of the American Muslim Foundation, which is also under investigation for terrorist financing. Within a few weeks of having sent my letters, I received assurances from both Inspectors General that they were examining the situation and would get back to me.

Well, as I said earlier, that was more than six months ago, and to this day, despite numerous follow up attempts, I have no idea what has become of their efforts.

I want to be clear here: I am not saying that these groups are filled with terrorists. I have an enduring respect for the overwhelming majority of American Muslims who are peaceful, hard-working and patriotic.

I am saying, however, that there is enough evidence to warrant an investigation of these groups to assess their pluralist credentials and determine whether they should be advising the Pentagon and the Bureau of Prisons on who should provide spiritual guidance to American soldiers and inmates.

In the six months since I made this original request, events have made the case for an investigation even stronger. News reports and experts who have testified before this committee suggest that discrimination against Shi'a prisoners in federal institutions is rampant and that Wahhabi literature is readily available behind prison walls.

Steven Schwartz, the author of the critically acclaimed Two Faces of Islam, says Shi'a prisoners are unable to worship freely and may fear for their safety while incarcerated. According to Muhsin Alidina of the Al Khoei Islamic Center in New York, Shi'a prisoners send the mosque stacks of letters every month complaining of mistreatment. And Steven Emerson, head of the Investigative Project, says Wahhabi literature makes its way into prison libraries courtesy of the Saudi-backed Al-Harramain Foundation.

In June, the websites for the Navy and the Air Force chaplains were found to have links to Islamworld.net, a website that espouses Wahhabism. The site contained links to lectures by fundamentalist clerics, some of who advocate jihad against the United States and denigrate Christianity and Judaism as "forms of disbelief."

All of this seems to point in the direction of our worst fears: rather than encouraging a pluralistic environment for Islamic belief, the chaplain programs were promoting only a specific narrow and exclusionary agenda.

And then on September 10th, one Muslim military chaplain, Captain James Yee, was detained for having classified documents about operations at Camp X-Ray. Yee was arrested and charged last week, and more serious charges may be forthcoming.

Almost lost in the tumult surrounding Yee's detention was another stunning revelation: in 2001, another Muslim military chaplain, Abdul Muhammad, traveled to Saudi Arabia for the Hajj with a number of other Muslim US service members on a trip that was fully paid for by the World Muslim League. The Muslim World League is a known Saudi organization, dedicated to the spread of Wahhabism, and in 1996, the CIA identified it as a front for al Qaeda.

It boggles my mind that a terrorist organization that the Pentagon was spending millions of dollars to destroy would be allowed to pay for travel expenses of some of our soldiers. Who knows who had access to our loyal service members while they were in Saudi Arabia?

And there is more bad news coming from associates of the chaplain programs. On September 30th, the FBI arrested Abdurhaman Alamoudi, the man responsible for starting the military's Muslim chaplain program, charging him with violating the Libya Sanctions Act. In the FBI affidavit presented at his hearing, the FBI asserted that Mr. Alamoudi, the President of the American Muslim Foundation and, at the very least, an enabler of the military program today, had received $2.5 million from predominantly Saudi donors to buy the organization's headquarters in Alexandria.

Despite all of these developments, despite all of the connections between Saudi Arabia, Wahhabism, and the organizations involved in the Muslim chaplain programs, I still have not heard back from either the Pentagon or the Bureau of Prisons about the status of the investigations I requested over six months ago.

We live in a post-9/11 world everybody. It is a world in which terrible events have taught us that you can never be too careful. It is a world in which certain groups are sworn enemies of our pluralist way of life. And it is a world in which we all now know that incitement breeds hate that gives way to violence.

Does the evidence show conclusively that the organizations that endorse Muslim chaplains for our military and prisons are part of this movement?

No. But events and revelations over the last six months show that there has been a lot of smoke surrounding these groups, and the Inspectors General ought to find out whether there is fire. At the minimum, a full investigation is warranted and we sit here wondering why that is not occurring.

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Terrorism: Radical Islamic Influence of Chaplaincy of U. S. Military and Prisons

Mr. Chairman, I salute you for your strong leadership in dealing openly and honestly with a serious problem — the involvement of radical Islamists in worldwide terrorism, and, in particularly, their penetration of key American institutions such as the chaplaincy of our armed forces and prisons. We are a welcoming and free society and that cannot change, but our freedom has always come at the price of constant vigilance. Every day, law enforcement officers in this land of the free arrest, and judges imprison, criminals who violate our laws and who threaten the safety and property of our people. The fact is, they use force to preserve freedom on a regular basis.

In the same manner, this country has every right, indeed it has a duty, to investigate and prosecute and imprison, and even execute, enemies who rejecting the freedoms we enjoy, attempt to use those freedoms to destroy the values we cherish by committing acts that violate the duly enacted laws of this country. Indeed, since the express purpose of these radicals is the very destruction of this free society — a society that allows them the complete right to worship as they please, freedom not to be allowed in any country they would control — this nation must not be complacent but must be determined, methodical, and lawful as we identify, expel, and prosecute those who would unlawfully destroy our freedom and rule of law that we extend even to them.

I am pleased that the Department of Justice is making progress identifying and arresting those who were involved in unlawful activities . They must continue and expand on these

successes. Our friend, and former colleague, Attorney General John Ashcroft, is courageous and determined. He and his fine team, the FBI, the Department of Defense, and virtually every other department and agency of this country is giving unprecedented attention to eliminating these threats, and, as the arrests indicate, making progress.

Of course, the overwhelming majority of Muslims in America and around the world are faithful people who live in harmony with their neighbors and the world. They don't believe that people who do not share their faith should be destroyed. But, sadly, a few do.

Yes, we are hearing cries of civil rights violations, or even the ugly charge of racism. But, the lawful and professional work to preserve the liberties that define us as a people must not be deterred by unsubstantiated charges Unfortunately, we have many in this Senate who bemoan, in vague conclusery terms, the loss of civil rights which they say is occurring, but I say to them, be specific. Spell out to me in precise terms exactly what activities are in violation of our law and our legal principles. Explain the successes of the Department of Justice, and its virtual total success in court, if they are running amuck. Our Department of Justice has been extraordinarily successful with few setbacks in court. They are successfully protecting us and successfully following the law. As a former federal prosecutor, I could not be prouder of the work of our Attorney General and for the growing success against radicals and terrorists who violate our laws. I am particularly proud of the fact that they have done so, even in these extraordinarily dangerous times, with full respect for our magnificent legal tradition.

Mr. Chairman, you are doing an important service. I wish the committee did not have the responsibility to investigate chaplains, but unfortunately, that has become our duty. It may be

that the zealots with their twisted mentality believe that we are a corrupt, effete, and decadent society. That we are unwilling to take the steps necessary to protect our liberty. In that respect we will prove them wrong.

Freedom, respect for the faith of others, and the rule of law — great American values — will not be defeated by this band of hateful, narrow extremists. Their doom is sure. With a full appreciation for the legal system that provides for our safety and prosperity, we will put an end to this spasm of radical extremism. Your chairing of this hearing and your leadership on this issue is an important step in openly confronting a serious problem in a manner consistent with the great values of a free society. It is also an important step in creating a national consensus on how to confront and defeat this problem. We owe that to those who gave us this great land. We must not fail.

Statement of J. Michael Waller
Annenberg Professor of International Communication

Before the

Subcommittee on Terrorism, Technology and Homeland Security

Senate Committee on the Judiciary

14 October 2003

Thank you, Chairman Kyl, and members of the Subcommittee for holding this important series of hearings. Thank you also for inviting me to testify on the subject of terrorist penetration of the U.S. military and prison systems via corruption of the chaplain programs, and how it fits in with a larger foreign-sponsored campaign to build terrorist support networks inside this country.

I am testifying in my capacity as Annenberg Professor of International Communication at the Institute of World Politics, a graduate school of statecraft and national security in Washington.[1] My expertise is in the political warfare of terrorist groups, not the theology of Islam.

Enemies of our free society are trying to exploit it for their own ends. These hearings ensure that policymakers and the public know and understand how our enemies' operations work within our borders.

Chaplains are only one avenue terrorists that and their allies have used to penetrate and compromise the institutions of our civil society.

The recruitment and organization of ideological extremists in prison systems and armed forces is a centuries-old problem, as is the difficulty that civil societies have had in understanding and confronting the matter. While in tsarist prisons, Stalin and Dzerzhinsky organized murderers and other hardened criminals who would lead the Bolsheviks and their Cheka secret police. Hitler credited his time in prison as an opportunity to reflect and write *Mein Kampf*. Terrorist inmates and others communicate and organize among themselves and with the outside world via the rather open nature of our correctional system, and are known to do so in secret with collaborative lawyers by abusing the attorney-client relationship.

Chaplains are a vital part of military and correctional life, and until recently they have been above reproach. For several years, however, some of us have been alarmed that the small but important Muslim chaplain corps in the military has been harmed by those with

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[1] Institute of World Politics, 1521 16th Street NW, Washington DC 20036. 202-462-2101. www.iwp.edu

an agenda that is more political than spiritual. This raises legitimate – indeed pressing – national security concerns.

The nation now finds itself with suspicions about the integrity of certain Muslim chaplains and how one or more may have been able to penetrate one of the nation's most secure terrorist detention facilities at Guantanamo, Cuba, breaking through the heavy compartmentation that was designed in part to keep the detainees from communicating with one another and with the outside. That particular case is pending in the legal system, but its gravity is magnified by an important fact: the group that vetted the suspect chaplain was founded by a Wahhabi-backed member of the Muslim Brotherhood with a long track record of supporting terrorist leaders from the Egyptian Islamic Jihad to Hezbollah. It shares an office with him and, reportedly, even the same tax identification number.

My testimony will discuss:

- The foreign entities and individuals who created the Muslim chaplain corps for the United States military;
- The parties responsible for nominating and vetting Muslim chaplains for the U.S. armed forces;
- The issue of state-sponsored penetration of the U.S. military and prisons;
- Challenges to our ability to understand the nature of the problem; and
- The larger context of which the chaplain program is part.

Initial research findings

Our country's security, intelligence and counterintelligence services missed a lot before 9/11, and have been so deluged with information since then that it is often hard to make sense of it even two years later. Those inside government, and those of us outside, are early in the analytical process. My testimony is based entirely on the public record, and is intended to help connect the dots among what can be a maze of confusing names and organizations. Much of the research has been done with the staff of the Center for Security Policy.

In short, this is what my colleagues and I have found:

- Foreign states and movements have been financing the promotion of radical, *political Islam*, which we call Islamism, within America's armed forces and prisons.
- That alien ideology, with heavy political overtones, preaches intolerance and hatred of American society, culture, government, and the principles enshrined in the U.S. Constitution.
- Adherents to that ideology directly and indirectly spawn, train, finance, supply and mobilize terrorists who would destroy our system of government and our way of life.

- They have created civil support networks for terrorists at home and abroad, providing material assistance, fundraising operations, logistics, propaganda, legal assistance in the event of arrest or imprisonment, and bringing political pressure to bear on policymakers grappling with counterterrorism issues.
- The Islamists exploited the nation's prison chaplancies and the created the Muslim chaplain cadre in the armed forces as one of several avenues of infiltration, recruitment, training and operation.

Toward understanding the problem

Before I begin, one should note that a great battle is taking place today within the Islamic faith around the world. Many Muslims have come to me and to my colleagues with information about how their mosques, centers, and communities have been penetrated and hijacked by extreme Islamists who have politicized the faith and sought to use it as a tool of political warfare against the United States. We would not know what we already know were it not for the active collaboration of Muslims from many countries and currents who fear the political Islamists, and it is clear that federal terrorism-fighters and the nation at large have benefited likewise.

As a society, we have not understood the nature of the problem. Some, such as the FBI leadership, have contorted themselves to unusual lengths to avoid honest discussion of the issue.

The testimony of the Federal Bureau of Investigation (FBI) before this subcommittee on 26 June of this year is a case in point, where the witness failed even to discuss the subject on which he was requested to testify, which on growing Wahhabi influence in the United States. The FBI Director himself has a splendid staff of speechwriters who painstakingly avoid using the words "Islam" and "terrorist" in the same sentence. Such dissembling does a disservice to the American public and arguably has harmed efforts to protect the country from terrorism.

Part of the trepidation against honestly discussing the issue is the atmosphere of fear and intimidation surrounding part of the discourse. Oftentimes as soon as a non-Muslim notes that nearly 100 percent rate of terrorist attacks were perpetrated in recent years by those who call themselves Muslim, certain self-proclaimed Muslim "leaders" in the United States take to the airwaves, the press and the Internet to denounce the critic as being "racist" or "bigoted." Some of their non-Muslim friends have done the same, creating a chilling effect on open discussion, leading to poor public understanding of the conflict at hand.

Curiously, there is no shortage of normal Muslims in this country who agree with the critics. However, they are not organized and often have felt too intimidated to speak out.

Significantly, our research shows the most virulent of the denunciations have come from the self-proclaimed Muslim "leaders" who are tied to foreign or domestic terrorist organizations; foreign – mainly Wahhabi – funding; and in crucial cases, the Muslim

Brotherhood. As we will see, a reported Muslim Brotherhood member, who had built a political pressure group in Washington that the FBI certified as "mainstream," frequently assailed the arrests of bona fide terrorists as bigoted actions that would harm the American Muslim community.

When we discuss the chaplain issue, we should keep it in a larger context. That context spans 40 years of Wahhabi political warfare as an element of religious proselytizing – or, some would argue, political warfare of which proselytizing is an element.

The strategic goal is twofold: to dominate the voice of Islam around the world; and to exert control over civil and political institutions around the world through a combination of infiltration, aggressive political warfare, and violence.

We see this happening globally: In Pakistan and Egypt, the United Kingdom and continental Europe, in Bosnia-Herzegovina and Kosovo, in Russia and Turkey; in Southeast Asia, parts of Africa and Latin America; and here in the United States.

This trend is one of the factors that unites so much of the world – including the Islamic world – in the Global War on Terrorism. And that factor helps to explain why some countries find it so difficult to cooperate to their full potential, and why other leaders have been nothing short of courageous.

Hearings this subcommittee held last June and September have illuminated the issue and started to connect the dots. Chairman Kyl, you said it exactly on September 10 that "we must improve our ability to 'connect the dots' between terrorists and their supporters and sympathizers. We must understand their goals, their resources and their methods, just as well as they understand our system of freedoms and how to exploit them for their terrible purposes."

Part 1: Chaplains, the Wahhabi Lobby, and the Muslim Brotherhood

The process for becoming a Muslim chaplain for any branch of the U.S. military, currently involves two separate phases. First, individuals must complete religious education and secondly, they must receive an ecclesiastical endorsement from an approved body. As several recent media reports have noted, federal investigators long have suspected key groups in the chaplain program – the **Graduate School of Islamic and Social Sciences** (GSISS) the **American Muslim Armed Forces and Veterans Affairs Council** (AMAFVAC), and the **Islamic Society of North America (ISNA)** – of links to terrorist organizations.

- The **Graduate School of Islamic and Social Sciences (GSISS)** trains Muslim chaplains.
    - Operation Green Quest investigators raided GSISS offices in March 2002, along with 23 other organizations. According to search warrants, federal agents suspected GSISS and the others of "potential money laundering and tax evasion activities and their ties to terrorists groups such as al Qaeda as well as individual terrorists . . . [including] Osama bin Laden."
    - Agents also raided the homes of GSISS Dean of Students Iqbal Unus, and GSISS President Taha Al-Alwani. Press reports identify Al-Awani as Unindicted Co-Conspirator Number 5 in the Palestinian Islamic Jihad case of Sami Al-Arian in Florida.[2]
- The **American Muslim Armed Forces and Veterans Affairs Council (AMAFVAC)** accredits or endorses chaplains already trained under GSISS or other places, like schools in Syria.
    - AMAFAC operates under the umbrella of the American Muslim Foundation (AMF), led by Abdurahman Alamoudi.
    - According to Senator Schumer's office, AMAFAC and AMF share the same tax identification number, making them the same legal organization.[3]
- The **Islamic Society of North America (ISNA)** endorses trained chaplains for the military.

Religious education and ecclesiastical endorsement

As of 8 June 2002, nine of the fourteen chaplains in the U.S. military received their religious training from the Graduate School of Islamic and Social Sciences (GSISS) in Leesburg, Virginia.[4]

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[2] Glenn Simpson, "U.S. Links Muslim Scholar to Possible Terror Funding," *Wall Street Journal*, 17 March 2003.

[3] AMAFVAC operates under the umbrella of the American Muslim Foundation (AMF), led by Abdurahman Alamoudi, reportedly sharing the same tax identification number. Attributed to Senator Schumer's spokeman Phil Singer, Thomas Frank, "Schumer Takes On Saudi State Religion," *Newsday*, 13 October 2003.

[4] "Training Muslim Chaplains," *Washington Post*, 8 June 2002, p. A19.

Following training at GSISS or another religious school, the majority of Muslim chaplains receive their endorsement from the American Muslim Armed Forces and Veterans Affairs Council (AVAFVAC).

Until 1999, the AVAFVAC, headed by Qaseem Uqdah, was based out of the American Muslim Council (AMC) headquarters and was known then as the Armed Forces and Veterans Affairs Unit. The American Muslim Council is one of the most influential U.S. groups supporting militant Islamism. AMC leaders, including its founder, have defended terrorist groups, designated as such by the U.S. Government, while the organization has worked to undermine stronger anti-terrorist measures designed to protect Americans here at home.

ISNA provides ideological material to about 1,100 of an estimated 1,500 to 2,500 mosques in North America. It vets and certifies Wahhabi-trained imams and is the main official endorsing agent for Muslim chaplains in the U.S. military.

An organ of ISNA, the North American Islamic Trust (NAIT) has physical control of most mosques in the United States. NAIT finances, owns, and otherwise subsidizes the construction of mosques and is reported to own between 50 and 79 percent of the mosques on the North American continent.

Origin of military chaplain problem: Muslim Brotherhood penetration

One can trace part of the military chaplain problem directly to its origin: A penetration of American political and military institutions by a member of the Muslim Brotherhood who is a key figure in Wahhabi political warfare operations against the United States.

The Muslim Brotherhood is an international movement founded in 1928 that seeks the destruction of all state and geographic divisions, rejects the idea of the nation-state and all forms of secularization, and works toward creating a world pan-Islamic state with a government based on Muslim sharia law. Initially it was uncompromising in its rejection of secular society, but in recent years changed its strategy to renounce violence ("ostensibly," in the word of the Egyptian newspaper *Al Ahram*), and to take over or dominate political parties, unions, and professional syndicates. It is technically banned in its home country of Egypt, but operates through cutouts. *Al Ahram* calls the Muslim Brotherhood a "political movement" because of its political goals.[5]

The Muslim Brotherhood's slogan is "God is our purpose, the Prophet our leader, the Qur'an our constitution. Jihad our way and dying for God's cause our supreme objective."[6]

Following the assassination of Egyptian President Anwar Sadat, the Muslim Brotherhood became part of the international Wahhabi infrastructure, with the Saudis providing sanctuary and support. Its functional leader, Ayman Al-Zawahiri, is widely believed to al

[5] "Politics in God's Name," *Al-Ahram Weekly*, No. 247, 16-22 November 1995.
[6] Ibid.

Qaeda's second-in-command after Osama bin Laden. Al-Zawahiri is currently on the FBI's Most Wanted Terrorists list for his alleged role in the 1998 bombings of the U.S. Embassies in Kenya and Tanzania.

Alamoudi: The operations chief in the U.S.

In 1990 Abdurahman Alamoudi, an émigré from Eritrea of Yemeni descent and a member of the Muslim Brotherhood, set up a political action organization in Washington called the American Muslim Council (AMC). This subcommittee heard testimony almost six years ago that the AMC, based at 1212 New York Avenue NW, was *inter alia*, the "de facto lobbying arm of the Muslim Brotherhood."[7]

Earlier this month, AMC advisory board member Soliman Biheiri, whom federal prosecutors say was "the financial toehold of the Muslim Brotherhood in the United States," was convicted of violating U.S. immigration law.

Alamoudi is presently in jail on federal terrorism-related charges. He was arrested in late September 2003 at Dulles International Airport after British law-enforcement authorities stopped him with $340,000 in cash that he was trying to take to Syria. U.S. officials allege that the money may have been destined for Syrian-based terrorist groups to attack Americans in Iraq. Charges include illegally receiving money from the Libyan government, passport and immigration fraud, and other allegations of supporting terrorists abroad and here in the United States.

Since Alamoudi has not had his trial, it may be inappropriate in this Judiciary subcommittee setting to discuss the case further, other than to say that one of his attorneys, Kamal Nawash of Northern Virginia, spoke to the suspect after his arrest and called the case politically motivated.[8] Nawash told reporters less than two weeks ago that Alamoudi "has no links whatsoever to violence or terrorism. On the contrary, he supported the U.S. war on terrorism."

Alamoudi has a long public record that indicates why his instrumentality in founding and shepherding the U.S. Muslim military chaplain program unfortunately calls into question the integrity of the entire Muslim chaplaincy, and requires thorough investigation.

Alamoudi successfully burrowed into the American political mainstream until some of his extremist statements made him a public liability. My testimony will not discuss the details of his political activity other than to say that it included both main political parties and two administrations.

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[7] Steven Emerson, testimony before the Senate Judiciary Subcommittee on Terrorism, Technology and Government Information, 24 February 1998.
[8] Islam Online

Alamoudi timeline

A timeline of events and statements shows that the Pentagon's Muslim chaplain program was compromised at the start due to the fact that Alamoudi founded it and guided it, and nominated the first chaplains.

During the time he and his organizations were involved in the chaplain program, Alamoudi was a senior figure in Northern Virginia-based entities that were raided or shut down for alleged terrorist financing; he openly spoke out in support of Hamas and Hezbollah, he campaigned for the release of a Hamas leader, and he attempted to secure the release of the Egyptian Islamic Jihad leader convicted for his role in plotting to bring down civilian airliners and bomb bridges, tunnels, and skyscrapers in New York City.

Under his leadership, the AMC hosted leaders and representatives of designated terrorist groups or foreign outlawed terrorist groups from Algeria, Jordan and Sudan, giving them awards and defending them against U.S. government designations and legal action.[9]

1979: Abdurahman Alamoudi emigrated to the United States.

1985-1990: Alamoudi was executive assistant to the president of the SAAR Foundation in Northern Virginia. Federal authorities suspect the Saudi-funded SAAR Foundation, now defunct, of financing international terrorism. SAAR is the acronym for Sulaiman Abdul Aziz al-Rajhi, a wealthy Saudi figure and reputed financer of terrorism. Victims of the 11 September 2001 attacks allege in court that "The SAAR Foundation and Network is a sophisticated arrangement of non-profit and for-profit organizations that serve as front-groups for fundamentalist Islamic terrorist organizations."

1990: Alamoudi founded the American Muslim Council (AMC) as a tax-exempt 501(c)(4) organization, based at 1212 New York Avenue NW in Washington. The AMC has been described as a de facto front of the Muslim Brotherhood. The AMC's affiliate, the American Muslim Foundation (AMF), is a 501(c)(3) group to which contributions are tax-deductible. SAAR family assets financed the building at 1212 New York Avenue NW.

1991: Alamoudi created the American Muslim Armed Forces and Veterans Affairs Council (AMAFVAC). Its purpose: to "certify Muslim chaplains hired by the military." Qaseem Uqdah, a former AMC official and ex-Marine gunnery sergeant, headed AMAFVAC.

1993: The Department of Defense certified AMAFVAC as one of two organizations to vet and endorse Muslim chaplains. The other was the Graduate School of Islamic and Social Sciences (GSISS).

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[9] Algerian Brotherhood, ringleader of attempt to assassinate King Hussein of Jordan, Hassan Al-Tarabi of Sudan.

- March: Alamoudi assailed the federal government's case against Mohammed Salameh who was arrested ten days after the first World Trade Center bombings in February: "All their [law enforcement] facts are – they are flimsy. We don't think that any of those facts that they have against him, or the fact that they searched his home and they found a few wires here or there – are not enough."[10] Salameh was convicted in the bombing plot and is currently serving a life sentence in prison.
- In December 1993, Alamoudi attended the swearing-in ceremony of Army Capt. Abdul Rasheed Muhammad (formerly Myron Maxwell), the first Muslim chaplain in the U.S. military,[11] and pinned the crescent moon badge on the captain's uniform.[12] "The American Muslim Council chose and endorsed Muhammad."[13]

From about 1993 to 1998, the Pentagon retained Alamoudi on an unpaid basis to nominate and to vet Muslim chaplain candidates for the U.S. military.

1994: Alamoudi complained that the judge picked on the 1993 World Trade Center bombers because of their religion: "I believe that the judge went out of his way to punish the defendants harshly and with vengeance, and to a large extent, because they were Muslim."[14]

- He began a public defense of Hamas: "Hamas is not a terrorist group … I have followed the good work of Hamas…they have a wing that is a violent wing. They had to resort to some kind of violence."[15]

1995: Alamoudi continued his Hamas defense, arguing that "Hamas is not a terrorist organization. The issue for us (the American Muslim Council) is to be conscious of where to give our money, but not to be dictated to where we send our money."[16]

- Alamoudi accompanies AMAFVAC chief Qaseem Uqdah on a tour of naval installations in Florida to assess the needs of Muslims in the U.S. Navy.[17]

1996: In 1996, Alamoudi became a naturalized citizen of the United States. In so doing he swore to defend the Constitution against "all enemies, foreign and domestic."

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[10] CBS Evening News with Dan Rather, 5 March 1993
[11] Larry Witham, "Army Swears In Muslim Captain as Military's 1st Islamic Chaplain," Washington Times, 4 December 1993.
[12] Habib Shaikh, "Capt. Muhammad appointed first Imam for US Military," *Moneyclips*, 8 December 2003; Kate O'Beirne, "The Chaplain Problem," National Review, 27 October 2003.
[13] Shaikh, ibid.
[14] August 20, 1994, AMC Statement reported by Jake Trapper, "Islam's Flawed Spokesmen," Salon.Com, September 26, 2001.
[15] National Press Club, Washington, DC, 22 November 1994.
[16] "Congress Ponders Legislation Halting Aid to Terrorist Groups," *Ethnic Newswatch, Jewish Telegraphic Agency*, April 11, 1995.
17 "American Muslim Activism," Greg Noakes, *Washington Report on Middle East Affairs*, June 1995 http://www.washington-report.org/backissues/0695/9506072.htm

- Alamoudi spoke out in response to the arrest at New York's JFK Airport of his admitted friend, Hamas political bureau leader Mousa Abu Marzook. Months after the arrest, Alamoudi blamed the February 25th Hamas suicide bombings of Israeli citizens on Marzook's detention: "If he was there things would not have gone in this bad way. He is known to be a moderate and there is no doubt these events would not have happened if he was still in the picture."[18]
- He continued to defend Marzook: "Yes, I am honored to be a member of the committee that is defending Musa Abu Marzook in America. This is a mark of distinction on my chest … I have known Musa Abu Marzook before and I really consider him to be from among the best people in the Islamic movement, Hamas – in the Palestinian movement in general – and I work together with him."[19]
- May 23: Alamoudi became a United States citizen.
- As one point during the year, Alamoudi spoke at the annual convention of the Islamic Association of Palestine in Illinois, stating in Muslim Brotherhood terms:
    - "It depends on me and you, either we do it now or we do it after a hundred years, but this country will become a Muslim country. And I [think] if we are outside this country we can say oh, Allah, destroy America, but once we are here, our mission in this country is to change it."[20]
    - Alamoudi called on the president to "free Sheikh Omar Abdul Rahman," the Egyptian Islamic Jihad leader serving a life sentence for his role in the early 1990s of bombings and attempted bombings in New York, and for plotting to destroy civilian airliners.[21]
- And again: "I know the man [Marzook], he is a moderate man on many issues. If you see him, he is like a child. He is the most gracious person, soft-spoken. He is for dialogue… [His arrest] is a hard insult to the Muslim community."[22]
- August 1996: Alamoudi was there when the U.S. Armed Forces commissioned its second Muslim chaplain, Lieutenant JG Monje Malak Abd al-Muta Ali Noel, Jr. "We have taken a long and patient process to bring this through," Alamoudi said. He spoke of cultivating others to take posts in the political system and law enforcement: "We have a few city council members. We are grooming our young people to be politicians. We also want them to be policemen and FBI agents."[23]
- Alamoudi protested federal airline safety measures concerning terrorism.[24]

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[18] "Hamas Split Since Palestinian's Arrest," *UPI*, 26 February 1996.
[19] As cited by Steven Emerson before the Senate Judiciary Subcommittee on Terrorism, Technology and Government Information, 24 February 1998; Middle East TV, 26 March 1996.
[20] Statement of Steven Emerson to the National Commission on Terrorist Attacks Upon the United States, 9 July 2003.
[21] Ibid.
[22] "Palestinian with Local Ties is Detained as Suspected Hamas Leader," *The Washington Post*, July 28, 1995.
[23] Larry Witham, "2nd Muslim Chaplain Picked for Armed Forces," *Washington Times*, 10 August 1996.
[24] "Muslims Concerned with Air Safety Plans," United Press International, September 13, 1996.

1997: Back to Hamas: "I think [Hamas is] a freedom fighting organization."[25]

2000: Alamoudi publicly embraced not only Hamas but Hezbollah. At a videotaped protest in front of the White House on 28 October, Alamoudi shouted, "Anybody who is a supporter of Hamas here? Hear that, Bill Clinton. We are all supporters of Hamas. I wish they added that I am also a supporter of Hezbollah. Anybody who supports Hezbollah here?"[26]

- Alamoudi described a two-track political approach, advocating prayer for the destruction of the United States, but counseled that while working within the U.S., his allies should try to change policy: "I think if we are outside this country, we can say oh, Allah, destroy America, but once we are here, our mission in this country is to change it."[27]

2001: In January, Alamoudi attended a conference in Beirut with leaders of terrorist organizations, including al Qaeda.

- November 2001: After NBC and other channels broadcast a 2000 videotape of him proclaiming support for Hamas and Hezboollah, Alamoudi told reporters, "I should have qualified what I have said. I should have said that we should support Hamas and Hezbollah in the effort for self-determination."[28]

2002: Alamoudi protested the arrest Imam Jamal Abdullah Al-Amin (formerly known as H. Rap Brown): "I think there is a witch hunt against Muslims."[29] Al-Amin, who held a former AMC post, was later convicted of murdering a Georgia law-enforcement officer.

- March: Federal agents raided Alamoudi's American Muslim Foundation during Operation Green Quest, as well as several other organizations which Alamoudi had led, staffed, or otherwise been affiliated.
- April: Alamoudi reacted to the Department of Justice's ordering of names of known or suspected terrorists to be added to federal, state and local police nationwide: "I really don't understand a government that acts on suspicion instead of facts. America is no longer the land of the free."[30]
- Alamoudi modified his tone on Hamas: In an op-ed for the *Orlando Sentinel* on April 30, 2002, Alamoudi explained, "Hamas may be on the State Department's list of terrorist organizations, and may deserve that designation for some of its actions – such as unconscionable bombings of civilians – but this is not the 'Hamas' I support. What I support is the legal military defense of Palestine, and

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[25] Fox News Channel, "Terrorist Jury Bias," 5 August 1997.
[26] *Hannity & Colmes*, FOX News Channel, 17 April 2002, transcript number 041703cb.253.
[27] "Hill's Muslim Donor Ripped America with Destroy Talk," Niles Lathem, *New York Post*, 3 November 2000, 26.
[28] Solomon Moore, "Fiery Words, Disputed Meaning," *Los Angeles Times*, 3 November 2001.
[29] "Judge Restricts Jury Query by Al-Amin Team; Only 1 Lawyer Allowed Floor Time," *Atlanta Journal and Constitution*, 3 February 2002.
[30] "List of Suspects to be Shared Across US; Aim is to Foil Terrorism," *Miami Herald*, 13 April 2002.

the political and humanitarian work of Hamas to provide representation to the occupied territories as well as medical, educational and other desperately needed social services to the Palestinian people."[31]

- June: AMC Executive Director Eric Vickers was asked on Fox News and MSNBC to denounce Hamas, Hezbollah, the Islamic Jihad and al Qaeda by name. Vickers would not[32] In one instance, he stated that al Qaeda was "involved in a resistance movement."[33]
- The FBI announced that Director Robert Mueller would address the AMC's second annual national lobbying conference. The FBI called the AMC "the most mainstream Muslim group in the United States."

2003: In September, Army Capt. James "Yousuf" Yee, a Muslim chaplain who ministered to the 660 terrorist detainees at the U.S. Naval base at Guantanamo, Cuba, was arrested and identified as having been "sponsored" by the AMAFVAC.[34]

- Alamoudi was arrested by federal agents as he returned from a trip to Libya, Syria, other Arab countries, and the United Kingdom.
- At his bond hearing, attorneys May Shallal Kheder and Maher Hanania of the law firm Hanania, Kheder & Nawash represented him. The third partner of the firm, Kamal Nawash, spoke to him in jail and identified himself on October 1 as an Alamoudi lawyer.

Somehow despite all the above public events, the Pentagon found fit for Alamoudi to start and effectively run the Muslim military chaplains program. Somehow the State Department saw Alamoudi as an appealing representative of the United States in its public diplomacy activities, making him a "goodwill ambassador" to Jordan, Kuwait, Lebanon, Oman, Pakistan, Syria, the United Arab Emirates, Yemen and elsewhere, as part of the USINFO program.[35]

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[31] Abdurahman Almoudi, "What I Support," *Orlando Sentinel*, 30 April 2002. In the words of David Aufhauser, General Counsel to the US Treasury Department and Chairman of the National Security Council Policy Coordinating Committee on Terrorist Financing, "the idea that there is a firewall between the two [wings of Hamas] defies common sense...The same people that govern how to apply the money to hospitals, govern how to apply the money to killing people." "Europe Plays Catch with Hamas," *The New York Sun*, 5 September 2003.

The distinction championed by Alamoudi is in Aufhauser's expert assessment "sophistry." "Blood Money," Matthew Levitt, *The Wall Street Journal*, 4 June 2003.

[32] *Alan Keyes is Making Sense*, MSNBC, 18 June 2002; *Fox News*, 19 June 2002.; *Brit Hume Special Report*, Fox News, 19 June 2002.

[33] *Hardball with Chris Matthews*, MSNBC, 27 June 2002.

[34] Rowan Scarborough and Steve Miller, "Airman Accused of Terror Spying: Islamic Radicals Pick Chaplains," *Washington Times*, 24 September 2003.

[35] "Hill's Muslim Donor Ripped America with Destroy Talk," Niles Lathem, *New York Post*, 3 November 2000. See also "Election 2000/In the End, Shame Wins," Ellis Henican, *Newsday*, 1 November 2000 and "Arab Council is Ready to Dump Donor," *New York Post*, 2 November 2000.

Saudi recruitment of American military personnel

U.S. counterintelligence is vigilant against recruitment of American military personnel by foreign intelligence services, but has been blind toward the possible recruitment of American officers into Wahhabi political extremism or Islamist terrorist networks. See Appendices 3, 5 and 6 for case study of Bilal Philips, a former Jamaican Communist Party member-turned-Saudi agent of influence who claims to have converted thousands of American soldiers from the Persian Gulf War period to the present.

Philips, recruited in the U.S. by Tablighi Jamaat, went to school in Saudi Arabia, was made a proselytization official by the Saudi Air Force. One of his greatest influences was Mohammad Qutub, who developed a political theory for Islamist revolution and who taught Osama bin Laden.[36]

Value of religious conversions to terrorists

Islamists terrorists view conversions of non-Muslims to Islamism as vital to their effort. Europeans and Americans from non-Muslim backgrounds do not fit the terrorist profile. They know their societies far better than immigrant terrorists, and they blend in seamlessly. They also have Western passports. Some analysts view the conversions as a new generation of political and social protest against the West and toward the "Third World." According to a recent report:

> The young people in working-class urban areas are against the system, and converting to Islam is the ultimate way to challenge the system," said Roy, a director of the National Center for Scientific Research in Paris. "They convert to stick it to their parents, to their principal... They convert in the same way people in the 1970s went to Bolivia or Vietnam. I see a very European tradition of identifying with a Third World cause."[37]

The converts are useful to a new al Qaeda strategy of "training the trainers," a method that the increasingly decentralized organization used to export terrorism to other countries.

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[36] See Appendix 5 of this testimony, "*Gulf Today's* Biography of Abu Ameenah Bilal Philips"; and Appendix 6, "*Saudi Gazette's* Biography of Abu Ameenah Bilal Philips."
[37] Sebastian Rotella, "Al Qaeda's Stealth Weapons," *Los Angeles Times*, 20 September 2003. See Appendix 3 for full text of article.

Part 2: Radical Islamist Domination of Muslim Prison Recruitment Efforts

Radical Islamist groups, most tied to Saudi-sponsored Wahhabi organizations suspected by the U.S. government of being closely linked to terror financing activities, dominate Muslim prison recruitment in the U.S. and seek to create a radicalized cadre of felons who will support their anti-American efforts. Estimates place the number of Muslim prison recruits at between 15-20% of the prison population. They are overwhelmingly black with a small, but growing Hispanic minority. It appears that in many prison systems, including Federal prisons, Islamist imams have demanded, and been granted, the exclusive franchise for Muslim proselytization to the forceful exclusion of moderates.

- The Graduate School of Islamic and Social Sciences (GSISS) trains prison chaplains. It trained Imam Umar the Bureau of Prisons chaplain who was fired after the *Wall Street Journal* profiled his post-September 11th extremist rhetoric.
- The Islamic Society of North America (ISNA) refers Muslim clerics to the U.S. Bureau of Prisons.

The Agenda

- "Yvonne Haddad, an academic who studies Muslims in America, noted in a lecture at Stanford University that the two loci of Islamic awakening in the United States are the university and the prison. It makes sense to connect these two centers of Islamic activity for sake of establishing Islam in the United States."[38]

Radical Imams

- "In the U.S., just two weeks after the September 11 attacks, Muslim Chaplain Aminah Akbarin at New York's Albion Correctional Facility was put on paid administrative leave after telling inmates that Osama bin Laden should be hailed as "a hero to all Muslims" and that the terror attacks were the fault of President Bush....According to published reports, radical Islamists—Muslims who follow a rigid interpretation of the Koran called Wahhabism—have put a high priority on reaching disaffected inmates around the world and recruiting them for their own deadly purposes."[39]

- Some prison-oriented groups prey on that disaffection. A leader of the Chicago-based ***Institute of Islamic Information & Education (III&E) said after 9/11,***

[38] "Helping prisoners turn their lives around," American Muslims Intent on Learning and Activism (AMILA), Availabe from http://www.amila.org/projects/prisons.php.
[39] Colson, "Terrorists Behind Bars," *First Things*, 127 (November 2002): 19-21. Available from http://www.firstthings.com/ftissues/ft0211/opinion/colson.html.

- "I know that Osama bin Ladin is a true Muslim with in depth knowledge of the Qur'an and teachings of the Prophet. I would never suspect that he would do anything against the teachings of Islam and harm anyone who is a civilian and has not taken up arms against Islam or Muslims...."[40]
- "I would absolve the Taliban from any part of the air crashes at the WTC, the Pentagon and other place...."[41]

The Islamist Appeal

- The prison recruitment question is occurring worldwide. "Dr. Theodore Dalrymple, a prominent psychiatrist who often works in British prisons, says Islam has assumed a presence disproportionate to the relatively small number of Muslim inmates (Four-thousand Muslims are among the 67,500 inmates)... 'A visitor to our prisons might be forgiven for concluding that Britain was an Islamic country,' Dalrymple wrote in London's *Daily Telegraph*. 'He would reach this conclusion because he would see a vast amount of Islamic literature . . . quite unmatched in quantity by any Christian literature, which is conspicuous mainly by its absence.'... Islam, Dalrymple says, is attractive to inmates 'because it revenges them upon the whole of society...By converting to Islam, the prisoner is therefore expressing his enmity toward society in which he lives and by which he believes himself to have been grossly maltreated.'"[42]
- "A key area of recruitment, the sources said, are U.S. prisons and jails, where al Qaeda and other organizations have found men who have already been convicted of violent crimes and have little or no loyalty to the United States... 'It's literally a captive audience, and many inmates are anxious to hear how they can attack the institutions of America,' said one federal corrections official."[43]

Saudi Involvement

- "Islamic Affairs Department of [the Saudi Arabian] Washington embassy ships out hundreds of copies of the Quran each month, as well as religious pamphlets and videos, to prison chaplains and Islamic groups who then pass them along to inmates. The Saudi government also pays for prison chaplains, along with many other American Muslims, to travel to Saudi Arabia for worship and study during the hajj, the traditional winter pilgrimage to Mecca that all Muslims are supposed to make at least once in their lives. The trips typically cost $3,000 a person and last several weeks, says Mr. Al-Jubeir, the Saudi spokesman."[44]

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[40] Ali, M. Amir, "Airplane crashes at WTC & the Pentagon: Who Benefits Most?" The Article Collection of Dr. M. Amir Ali, Ph.D. Available from http://www.ilaam.net/Sept11/WhoBenefitsMost.html.
[41] Ibid.
[42] Martin, "Are prisons a breeding ground for terrorists?" *St. Petersburg Times*, 14 January 2002. Available from http://www.sptimes.com/2002/01/14/Worldandnation/Are_prisons_a_breedin.shtml.
[43] Seper, "Terrorists recruited from US seen as a rising threat," *Washington Times*, 18 June 2002.
[44] Barrett, "How a Muslim Chaplain Spread Extremism to an Inmate Flock," *Wall Street Journal*, 5 February 2003, p. A1.

Islamic Society of North America (ISNA)

The Islamic Society of North America is an influential front for the promotion of the Wahhabi political, ideological and theological infrastructure in the United States and Canada. Established by the Muslim Students Association, ISNA seeks to marginalize leaders of the Muslim faith who do not support its ideological goals. Through sponsorship of propaganda, doctrinal material and mosques, is pursuing a strategic objective of dominating Islam in North America.

ISNA provides ideological material to about 1,100 of an estimated 1,500 to 2,500 mosques in North America. It vets and certifies Wahhabi-trained imams and is the main official endorsing agent for Muslim chaplains in the U.S. military.

Politically, ISNA has promoted leaders of the American Muslim Council (AMC), the Council on American-Islamic Relations (CAIR), the Islamic Association for Palestine (IAP), and the Muslim Public Affairs Council (MPAC).

Magnitude of the Threat

- "For many disaffected young people, their first contact with Islam comes in jail. Over the past 30 years, Islam has become a powerful force in America's correctional system. In New York State, it's estimated that between 17 and 20 percent of all inmates are Muslims – a number that experts say holds nationally."[45]
- "Currently, there are approximately 350,000 Muslims in Federal, state and local prisons - with 30,000-40,000 being added to that number each year....These inmates mostly came into prison as non-Muslims. But, it so happens that once inside the prison a majority turns to Islam for the fulfillment of spiritual needs... It is estimated that of those who seek faith while imprisoned, about 80% come to Islam. This fact alone is a major contributor to the phenomenal growth of Islam in the U.S."[46]

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[45] Scherer, "Gangs, prison: Al Qaeda breeding grounds?" *The Christian Science Monitor*, 14 June 2002. Available from http://www.csmonitor.com/2002/0614/p02s01-usju.html.
[46] Mufti, Siraj Islam, "Islam in American Prisons," IslamOnline.net, Views & Analyses, 31 August 2001. Available from http://www.islamonline.net/english/Views/2001/08/article20.shtml.

Notable Prison Converts

- *Richard Reid* (the Shoe Bomber) was converted by a radical imam (Abdul Ghani Qureshi[47] at the suggestion of his father, a Jamaican-born career criminal who converted to Islam) in a British prison.[48] British MP Oliver Letwin says that Reid's conversion to Islam suggests that young inmates are being targeted by radical organizations.[49]
- *Jose Padilla* (aka Abdullah al-Muhajir) – "the Dirty Bomber" - was exposed to radical Islam during time in American prisons, and from there was recruited into the al Qaeda network.[50]
- *Aqil* converted to Islam while serving time in California's boot-camp system. He went to an Afghani training camp with one of the men accused of kidnapping and murdering *Wall Street Journal* reporter Daniel Pearl.[51]

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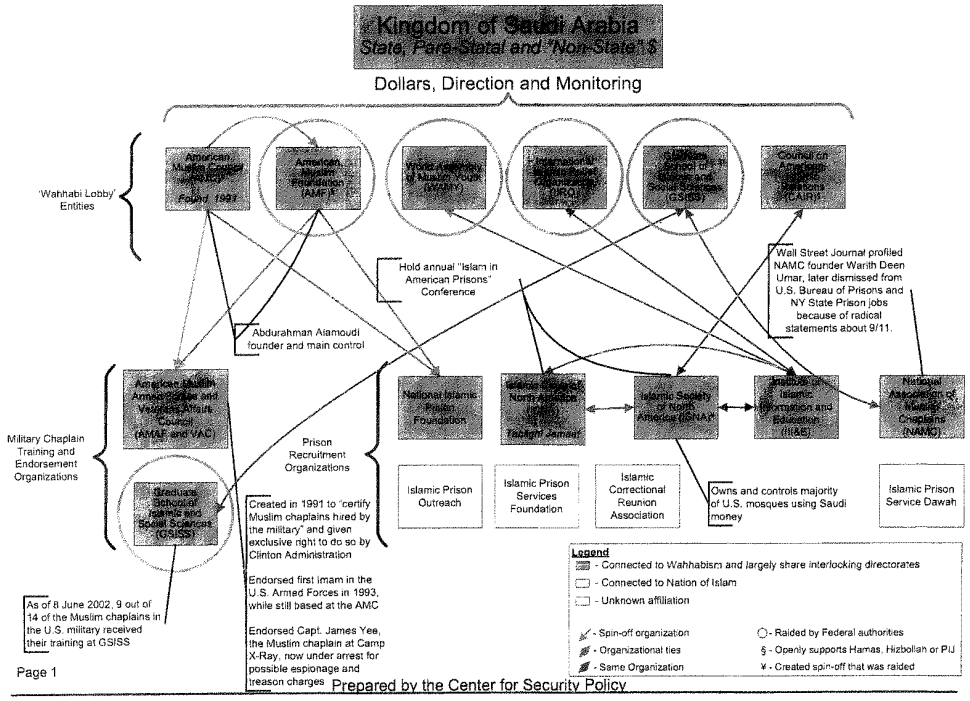
[47] "The Muslim Program: What the Muslims Want," Nation of Islam, available from http://www.noi.org/program.html.
[48] Colson, "Evangelizing for Evil In Our Prisons, *Wall Street Journal*, 24 June 2002.
[49] Martin, "Are prisons a breeding ground for terrorists?" *St. Petersburg Times*, 14 January 2002. Available from http://www.sptimes.com/2002/01/14/Worldandnation/Are_prisons_a_breedin.shtml.
[50] Ibid.
[51] Scherer, "Gangs, prison: Al Qaeda breeding grounds?" *Christian Science Monitor*, 14 June 2002. Available from http://www.csmonitor.com/2002/0614/p02s01-usju.html.

The 'Wahhabi Lobby', and Muslim Military Chaplains and Prison Recruitment

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