

HEARING OF THE TERRORISM, NONPROLIFERATION AND TRADE SUBCOMMITTEE OF THE HOUSE FOREIGN AFFAIRS COMMITTEE SUBJECT: U.S. STRATEGY FOR COUNTERING JIHADIST WEBSITES CHAIRED BY: REPRESENTATIVE BRAD SHERMAN (D-CA) WITNESSES: CHRISTOPHER BOUCEK, ASSOCIATE, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE'S MIDDLE EAST PROGRAM; MANSOUR AL-HADJ, DIRECTOR, MIDDLE EAST MEDIA RESEARCH INSTITUTE'S REFORM IN THE ARAB AND MUSLIM WORLD PROJECT; GREGORY MCNEAL, ASSOCIATE PROFESSOR, PEPPERDINE UNIVERSITY LOCATION: 2255 RAYBURN HOUSE OFFICE BUILDING TIME: 1:30 P.M. EST DATE: WEDNESDAY, SEPTEMBER 29, 2010

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REP. SHERMAN: I want to thank our witnesses for being here. I know that the title of this hearing used the term -- uses the term "jihadist", which is widely used in the intelligence and anti-terrorism community. I realize that the term "jihad" is sometimes used in Islam to describe a personal struggle and, accordingly, I will use the word "terrorist" or "extremist", not that the term "jihadist" does not also carry with it the meaning but it has secondary and tertiary meanings as well and, obviously, those engaged in a personal reflection and struggles to improve themselves are not the focus of these hearings.

We have seen extremists use the Internet for a growing number of activities including recruitment, propaganda, psychological warfare, and soliciting financial support. Today's hearing is to focus on how to best counter those activities and basically to ask the question why we aren't doing so. The growing number of instances in which the Internet is used for extremist activity is quite long. For example, in March, The Washington Post reported that extremists used the Internet to pass along U.S. operational information to insurgents in Iraq.

Perhaps the best known example is Major Hasan, the Fort Hood shooter who was influenced by extremist propaganda on the Internet. The five men in Northern Virginia who traveled via Pakistan to attack U.S. troops in Afghanistan made contact with the extremist organization over the Web as well. We see groups like Fajr, which not only maintain their own website but have a dedicated nexus to communicate with other extremist groups. One can find many books and essays pushing the extremist position online and you can find instructions on how to download extremist content onto your cell phone.

The question is what is our response. The politically correct response is for us to monitor what's going on and maybe detect who's visiting these sites. We did a great job of determining which sites Major Hasan visited after the terrorist incident. Keep in mind that our enemies have decided that even though we have the capacity to monitor, the Internet serves their purpose. So those that argue that our ability to monitor means that extremist website are helping us more than they're helping our enemies have got to reflect on the fact that our enemies have analyzed this and come to the exact opposite conclusion.

The other approach, also politically correct, is to reply -- read everything on the Internet and write an essay as to why the extremists are wrong and we're right.

Both of these responses to terrorists' use of the Internet have a number of advantages. They're polite, they're politically correct, and they involve hiring many people with Master's degrees in foreign affairs. Being polite and hiring lots of people with Master's degrees in foreign affairs may be the chief mission of our State Department, another national security bureaucracy. I would prefer to see us shut down these sites. Now, you can argue the First Amendment but the fact is that while you cannot scream fire in a crowded theater you also cannot legally try to raise money for terrorists or provide an article how to make a bomb in the kitchen of your mom or advocate that people do so.

And so we're talking about here is sites that are not protected by the U.S. First Amendment. The advocacy of taking violent action against the United -- Americans is -- certainly poses just as great a danger as yelling fire in a crowded theater. And we're going to be told that there are lots and lots of websites. That's true, but they tend to get their content from five or 10 or 15 providers and so if we shut down every website that provides original content we will have shut down the propaganda machine, the finance machine, the recruitment machine that the terrorists are deploying on the Internet.

Now, private citizens have been working to shut down extremist websites by contacting companies who host these websites and urging them to take them down. In addition, the U.S. military, at least one publicly reported case, decided to shut down a website. There -- I'm going to try to save some of your time by skipping some of my prepared remarks here. Yet we still have not only the many examples I mentioned before but also Colleen LaRose, commonly called Jihad Jane, who was arrested in Philadelphia after months of trying to recruit jihadist extremists in the United States. And the Los Angeles (Times) reports that this individual was just one of a dozen domestic terrorist cases that the FBI disclosed in 2009, all of which used the Internet as a tool. Anwar al-Awlaki, an extremist leader with ties to al Qaeda, is now being credited as being the brains behind online recruitment, particularly in a magazine written in English. I mentioned his most famous article regarding making a bomb in a kitchen.

The terrorists very much want to recruit operatives that are legally entitled to be in the United States and culturally familiar with the United States so that they can act without creating suspicion, and the best and easiest way for them to reach out to American citizens, legal residents, and those familiar with our culture is through the Internet.

During the Bush administration, the military began formulating plans for a cyber attack to shut down a Saudi website, which they reportedly did. Interestingly, the website, according to The Washington Post, was being operated by a joint Saudi-CIA operation in order to collect intelligence on the extremist and possible Saudi insurgents. A better degree of coordination might be called for in our efforts.

There is, of course, the naming and shaming -- trying to get website providers to take down certain websites. This is not always successful. We have people here with technical expertise who can perhaps advise us on whether the United States can do what we're told high school students are able to do and that is to take down a website. And as I pointed out, we could take -- remove

the content from hundreds of websites if we were able to take down five or 10 mother sites that are providing the content.

Now, the -- it is attractive to say well, we should just read what the jihadists put up or the extremists and terrorists put up and then respond, because a lot of us grew up in politics and when you have a good argument you prevail. I've never had an argument good enough to get 99 percent of the people in my district to agree with me and only 1 percent to agree with my opponent. But if I ever did come up with such a good argument, that would be fine for my electoral purposes but it wouldn't be successful here because if 1 percent of those visiting these websites do what the website authors' want them to do, which is to become terrorists, then the fact that 99 percent are convinced to do otherwise is -- hardly provides us with much solace.

The only way to be 100 percent convinced or 100 percent sure that a 100 percent of the people who are visiting a website are not persuaded by it is to make sure that nobody is visiting the website. Anything else leaves you struggling to get 50, 60, 70 percent of the people who are visiting that website to not be convinced by it. So I look forward to using these hearings to see whether we are going to be a polite country or a safe country. And with that, I yield to the distinguished ranking member from Orange County, California, Mr. Royce.

REP. EDWARD ROYCE (R-CA): Well, thank you, Mr. Chairman. I followed your argument there on the -- on the percentages but I thought it was interesting because I saw a story the other day out of Pakistan that indicated that only 2 percent of people in Pakistan believe that al Qaeda was responsible for 9-11. So perhaps the -- perhaps the environment is even less conducive in terms of trying to make the case when you're dealing with people that have so much disinformation. You know, one of the -- one of the questions I think all of us have is how is it possible that this very dangerous jihadist ideology is spreading and the argument that the heart of this is really being spread through the Internet is an interesting one.

I know personally from conversations that I've had with a number of people who -- who have been radicalized that that played the key role -- that that was at the heart of how they came to these conclusions. And I think it's following the way in which this is being used not only as a tool to recruit and -- and indoctrinate but the way that -- beyond that it's becoming sort of a virtual radical madrassa -- you know, these Deobandi schools that we see over in Pakistan.

Well, now we have the -- now we have these on the Internet and they're walking people through this logic or this argument and they're being used to fundraise -- they're being used to train -- they're being used to plot attacks. And if we think about 9-11, you know, al Qaeda used an extremist website to help plot that 9-11 attack. So today Hezbollah is particularly adept following up on their -- on that competing terrorist organization. They have become adept at doing this and, obviously, it's done pretty cheaply.

So you've got really a virtual caliphate, as somebody once mentioned here, and obviously, many are using these websites to target Americans with apparent success. We had the 9-11 commission report recently by Tom Kean and Lee Hamilton. From time to time they make pronouncements on, you know, the current state of play in the war on terror and they warned of complacency about homegrown terrorism, and they said we've been -- their words -- stumbling blindly trying to combat it.

And so we see the ever steady pace at which these -- this recruiting and these attacks are increasing, and the report that was filed by the members of the commission said they found it -- again, their words -- fundamentally troubling that there's no federal government agency or department specifically charged with identifying the radicalization and recruitment of Americans into terrorism -- into this process of being radicalized and then becoming terrorists. And, of course, it's the Internet that's central to that radicalization and recruitment. So what to do about these websites? There's a debate about whether they should be taken down or whether they should be monitored, as the chairman referenced, and intelligence can be gained on occasion. But we need the tools and focus to aggressively attack these sites because at the end of the day we're at war. It's a declared war on the other side. They've declared war on the U.S. and we should act like we understand that.

We should respond to that. One witness offers legislative suggestions that I look forward to hearing. I commend Mr. Poe, my colleague, who's not with us yet for this hearing. But he contacted YouTube and he expressed his concern over the rise of terrorist groups posting on it after he witnessed some of these postings. And, you know, some argue that we should be actively monitoring to counter radical Internet messages, debating -- debating some of these finer points over the justification of terrorist acts, for example, and I understand the concept.

But I don't know if our government has the ability to effectively execute such a policy which requires a set of specialized and uncommon skills and very deep understanding. If you're thinking about somebody sitting -- sitting there engaged in this kind of a debate, we should know also, I think, that a bad effort at this would do us harm. If we tried to do this and do it badly we'd be in -- we'd be in more trouble.

One academic calls radical Islam on the Internet a virtual community of hatred. So how you embark on this is a very difficult question and they're -- they're very tough waters for a bureaucracy to dive into. I think given that they have declared war on us on the Internet the answer is to take them down. The answer is the obvious answer. Don't give them the ability to continue to recruit and to plan. And I would have a bit more confidence if the administration better understood the totalitarian ideology that we're facing. Six years ago, the 9-11 commission found that, quote, "we're not threatened by terrorism, some generic evil," as they said in the report, "but specifically by Islamist terrorism," unquote.

This remains the threat today but the commission's straight talk is shunned by this administration, which prefers to speak of violent extremism. That's the very generic threat that the commission rejected. They wanted -- they wanted to name this threat for what it was and this blindness is one reason, perhaps, that we are stumbling blindly, in the words of Kean and Hamilton, and that, regrettably, is the way they concluded their report. Mr. Chairman, I'll yield back.

REP. SHERMAN: Wonder if we have an opening statement from the vice chairman of the committee.

REP. GERALD CONNOLLY (D-VA): Well, I'll be very brief but I would like to make a couple of statements about this very timely and important issue. I think if there ever was an example of our becoming servants of the machines that were created to serve us, this is clearly an example of it. The Internet

sort of reminds me of the rope that's thrown down to a man falling off a cliff. He can either use that rope to pull himself up or use that rope to hang himself. And the Internet and the use of it by terrorists and criminal activity is just mushrooming, and we've got to have the ability to be able to adapt our capability of thwarting a terrorist's use of it as quickly as we can.

The topic of today's hearing is one of increasing importance as we move through the 21st century and as we continue our offensive against terrorist groups, be they foreign or jihadist, including al Qaeda, or domestic, as more and more are rapidly becoming. The rise of social networking communications platforms like Facebook, Twitter, all allow for great creative and political and economic promise for all of us. (Could be ?) a rope to pull ourselves up. And as we have seen all over the world, political movements and demonstrations have been organized through such Internet portals from the streets of Tehran to right here, Main Street USA.

Spreading messages to the masses has become far easier in our interconnected world and we've got to make sure that the United States -- our country -- remains at the forefront of the developing cyber world in order to advance our nation's interests and to promote freedom and democracy abroad.

Likewise, this case of communications allows for enemies of our basic freedoms, enemies of democracy, to recruit for their destructive causes. While pursuing our strategic communications and countering the recruitment attempts of terrorist groups, we also must make sure that we don't -- don't use this to hang ourselves -- that our vigilance is tempered by our respects to those rights that are endowed by our creator that we cherish and that are enumerated within our Constitution -- the values that represent. And this is what I believe should be our primary focus in this hearing today is a delicate balance, I think, that we walk.

We've got to be able to intercept and unscramble encrypted messages but we've got to balance it. We've got to balance our security needs with protecting the privacy, with protecting the democracy, protecting the freedoms, and inherent in that freedom is our individual citizen's right to privacy. So we've got a challenge here and let us hope at the end of the day that we use this rope we have to indeed pull ourselves up to a better country, a better world, and not allow it to hang us. With that, Mr. Chairman, I yield back.

REP. SHERMAN: Mr. Manzullo, do you have an opening statement? No. I should note that both witnesses and members will have five business days or longer if they ask me for it later to put their full statements in the record.

I should also, just to clarify things, I think we're all talking about the same enemy -- that is to say those who wish to, you know, believe in the use of terrorism or other violent means and are inspired by corrupted interpretation of Islam and a corrupted interpretation of the Islamic concept of jihad.

First, I would like to introduce our first witness, Mansour al- Hadj. He is the director of the Reform in the Arab and Muslim World Project for the Middle East Research Media Institute, MEMRI. Please proceed.

MR. AL-HADJ: Mr. Chairman, Ranking Member Royce, and distinguished members of the subcommittee, thank you for allowing me to serve as a panelist on this important topic. My name is Mansour al-Hadj. I was born and raised a devout Muslim in Saudi Arabia. I earned my degree in Shari'a and Islamic

studies at the International University of Africa in Sudan. I am the director of MEMRI's Reform in the Arab and Muslim World Project. My work involves focusing on liberal voices and advocate of reform in the Arab and Muslim world including those who speak out against online jihad.

As a youth, I was taught to hate America, the West, Jews, and Christians. I was told to love jihad and those who wage it. Religious sermons and Islamic pamphlets turned me into an extremist by teaching me that Muslims are backward because we don't implement Sharia. My transformation away from extremism came after reading the writing of a peaceful -- a peace activist who denounced violence and supported the use of nonviolent means of social change.

Today, I see many Muslims trapped in the same conflict I was. The difference is that today Muslims have much more access to the source of extremist ideas online through jihadist forums and websites. Jihadist forums and websites have played a role in several recent terror acts in the United States such as the Fort Hood shooting and the failed Times Square bombing. I personally witnessed the powerful effect a propaganda campaign can have on a young mind. As a student in Sudan, one government recruitment effort during the civil war was a jihadist TV series.

This show documented jihadi fighters imparting their love for jihad. I still remember how fascinated I was by their stories and how I longed to become one of them. Just as the Sudanese government managed to market the war to recruit thousands to join their jihad, terror organizations, especially al Qaeda, are actively recruiting thousands through the Internet. Islamist organizations primarily use the Internet for spreading their message and propaganda.

It is considered to be an integral part of their jihad and they invest tremendous resource in it. It is impossible to imagine the development of global jihad movement without the Internet. Through MEMRI's research of jihadi websites, it is discovered that many of them are hosted by Internet service providers in the U.S. that are unaware of the content due to the language barrier.

MEMRI addressed Congress on this issue in July 2007. We suggested dealing with the problem by notifying ISPs in the United States of what they host in the hope that they would voluntarily remove the sites. In the week that followed, 32 out of 50 ISPs companies questioned removed the jihadi sites.

Opposition to closing these sites came in several varieties. First Amendment rights, the websites are as a source of valuable intelligence, and the difficulty in dealing with large number of websites were all given as a reason to keep the sites active. However, we at MEMRI believe that if the key jihadi websites are shut down the rest of them will dry up. Most importantly, the number of jihadist websites has decreased in recent years.

Currently, the number of highly dangerous sites is less than 10. It's important to mention that terrorist organization are always on the lookout for other channels to propagate their ideology. As jihadists encounter increasing difficulties with their websites, they discovered Western social media outlets such as YouTube, Facebook, and Twitter.

In fact, YouTube is a primary clearinghouse for one of America's most wanted terrorist, Anwar al-Awlaki, who provided spiritual guidance and inspiration for several recent successful and failed terror attacks in the U.S.

Al-Awlaki's presence on YouTube is the result of the shutting down of his website shortly after the Fort Hood shooting. At that time, MEMRI reported that al-Awlaki's website was hosted by an ISP in California. Within two hours of the report's publication, the ISP removed al-Awlaki's website. In conclusion, online jihad is a dangerous foe. The U.S. must confront it exactly as it confronts other forms of extremism on other fronts around the world both within and beyond its border.

As with its military venture, the U.S. must initiate cooperation with its allies, international organizations, and the business community. Experience shows that this can indeed be done. Mr. Chairman, this concludes my opening remarks. Thank you again for inviting me today. I welcome any questions that you or the members may have.

REP. SHERMAN: I want to thank you for that testimony and I believe your written testimony is longer and without objection will be made part of the record. I commend to my colleagues the first illustrative paragraph of your written testimony. Next, I would like to introduce Christopher Boucek. He's an associate in the Carnegie Middle East program where his research focuses on security challenges in the Arabian Gulf and North Africa. Please proceed.

MR. BOUCEK: Mr. Chairman, Ranking Member, and distinguished members of the subcommittee, thank you very much for the opportunity to be here today to speak about this very important topic. I think I'd like to keep my remarks relatively brief as my written testimony has been entered into the record and so we can move on to questions that you may have.

As we all know and as was mentioned in the opening statements, the issue of websites promoting and propagating jihadist terrorist ideology is a serious concern and I think it's important that we keep in mind what the Internet does and how this -- how this plays with recruitment and radicalization. It serves as a system to propagate and perpetuate an ideology as well as provide ideological cohesion and a sense of belonging across great distances.

It's an unrivaled source for connectivity for sharing information as well as knowledge, inspiration, propaganda, recruitment, and fundraising efforts. What I'd really like to do is focus on three aspects that I outlined in my written testimony. The first is the need for a measured response, which I think would fall somewhere between the polite versus safe setup that we'd heard in the opening remarks. I would -- I would propose that there's a need for a very strong and coordinated approach to dealing with these issues and I think that has to come from a basis of understanding what these issues are all about and what the Internet and how the Internet is being used.

There are times that I would say that certain websites should be shut down or named and shamed, as had been outlined. I would also say that we need to weigh this against the unintended consequences that can arise from doing so. There is a value -- a considerable value -- for keeping some of these websites available for law enforcement, intelligence, as well as research efforts and I think we also need to keep in mind that over the last several years number of experts have pointed out how there's a decreasing value in both shutting these down and as using them for surveillance or research methods. So I think this issue has an awful lot of nuance in it.

I'd like to pick up on a point that was made by the previous witness, which is the use of YouTube, especially the use of YouTube by al Qaeda and the Arabian Peninsula. About three months ago, a new YouTube channel appeared

branded as AQAP, the Islamist -- the al Qaeda organization based in Yemen, their media outlet. This website features all of AQAP's videos subtitled into English. No longer do you need to have access to Arabic. No longer do you need to be able to navigate web forums.

In conjunction with English language propaganda material, you can now use Google and YouTube to access this material, and it is everywhere. Taking the case of Anwar al-Awlaki -- his information, his sermons and lectures, are available widespread, not just on YouTube, but on an infinite number of outlets.

It's important to keep in mind that shutting down these websites will not completely eliminate the sentiment behind them. And I think this leads me into my next point, which is the need for an increased sense of counter-engagement, I guess, the read and talk aspect. And I think what I would say here is that it's important, I think, for us to keep in mind that al Qaeda is fueled by an ideology and a set of ideas and a set of grievances, and we need to understand these.

And there are some individuals -- you know, there are multiple pathways to radicalization. And there are some individuals who are motivated through religion, who benefit from religious discussion. And there are a number of programs in other countries, Internet-based, radio-based, television-based, interactive programs to discuss these issues.

We don't need to do this all ourselves, and oftentimes we probably should not be. And there are ways in which I think we can support these programs in other countries. We can support moderate voices that speak out in the region against violence. This comes with a caveat that some of those voices that are speaking out against violence are probably also speaking out on issues that would be of great displeasure to a number of people in this country. So we need to weigh the balance of these issues.

The last point I'd like to make is how we look forward, and some suggestions, and this is why I would highlight the need for research and further research; I guess this is no surprise coming from an academic and a researcher. I think -- basically, I would say that it's unbelievable to me that almost 10 years into this struggle we have yet to fully set up a way to address dealing with these issues.

And if you look 10 years into the Cold War, we had a much, much better developed understanding of the Soviet Union, China, communism, socialism, the Russian language, Chinese; we are nowhere near that when we're dealing with this issue. Across military, universities, higher education -- I mean, this is shocking to me. And I think this is something that we need to fix straightaway. I think we also need to keep in mind that the Internet is not always a perfect mirror for what's going on on the ground in a lot of these countries. I think it's very easy to use the Internet to try to understand what's going on in places where most Americans don't go, if it's Peshawar or Mareb or other places, but there's no -- there's no replace for actual on-the-ground field research and interaction with people.

With that, I would only like to highlight several other points, and I think there are ways that, because this is an argument based on ideology and ideas, we can highlight the flaws and the inherent discrepancies in these arguments. I think doing this in conjunction with the more rigorous shutdown approach is probably where I would say we should -- we should head forward.

With that, I'd like to conclude my remarks. Thank you very much, and I look forward to your questions.

REP. SHERMAN: We will now hear from our third witness, Mr. Gregory McNeal. Mr. McNeal is an associate professor of law at Pepperdine University School of Law, located immediately adjacent to the 27th congressional district, previously found in the 24th congressional district. He has also served in an advisory capacity on counterterrorism policy to the Departments of Defense and Justice. Mr. McNeal.

MR. MCNEAL: Chairman Sherman, Ranking Member Royce, distinguished members of the subcommittee, it's an honor to be here today to speak about the threat of terrorist websites and the U.S. strategy to counter them. As a professor at Pepperdine University, I specialize in national security law and policy and have written specifically about the threat of terrorist websites. As a California resident, it's an honor to be here speaking before this subcommittee, which has been so ably led by Californian representatives Congressmen Sherman and Royce.

In the era of homegrown terrorist plots, terrorist websites are a grave threat to national security, which require a three-pronged approach to combating them. That approach combines monitoring for intelligence value, elimination and destruction for operational gains, and cooptation for propaganda and ideological values.

My remarks today and my written testimony focus on the elimination and destruction of terrorist websites. Eliminating selected extremist websites will enhance our ability to collect intelligence by narrowing the field of enemy sites we must monitor. A small number of websites will allow for targeted efforts to undermine the jihadist message. Finally, efforts which keep the enemy on the move impose costs on them. They delegitimize them, and at the margins, make it more difficult for potential recruits to become radicalized.

Today's headlines about a plot to engage in coordinated Mumbai- style terrorist attacks reveals the critical importance of countering the terrorist web presence. Homegrown, low-sophistication, high-casualty plots are increasingly facilitated by jihadist websites. Consider just a handful of our close calls here within the United States. Nidal Hasan, the Fort Hood attacker, was inspired by and radicalized by terrorist websites. Those websites now hold him up as a symbol of successful homegrown attacks.

Najibullah Zazi, who planned a second series of attacks against the New York City subway system, was radicalized and educated through jihadist websites. Faisal Shahzad, the Times Square bomber, was radicalized through terrorist websites. It was there that he found his inspiration and fixity of purpose that drove him to carry out his attack. Internet images of jihad were the singular tie binding together the efforts of the Fort Dix plotters, and moreover, in the case of Ohio terrorists Mohammad Amawi, Marwan El-Hindi and Wassim Mazloum, terrorist websites were the motivating and enabling factor in their recruitment, providing them with information about how to build bombs.

The common theme running throughout nearly every attempted attack since September 11 is a radical ideology. That ideology finds its home in a small core of websites with close operational ties to al Qaeda. Those core forums are the mainstream media of extremist ideology. They have the label of legitimacy. Their stores, videos, training materials, and directives are picked up by mirror sites and repeated throughout the web. We should be disrupting their operations.

I would like to address a common myth that shutting down terrorist websites does not work. I say this is a myth because to date there has been no concerted government effort to shut down these sites. I readily admit that the terrorist web presence cannot be eliminated, but that is not the goal of what I'm advocating for. Rather, the goal I believe we should be pursuing is to impose costs on our enemies in time and resources to narrow their potential web hosts and to corral them into places of our choosing so we can monitor and coopt them.

It should not be easy for our enemies to recruit, train and proselytize. The Internet is not a battlefield that should operate according to the directives of our enemies. Rather, it's a battle space that we should own. On the traditional battlefield, few would argue that we should forego killing and capturing terrorists merely because they may be quickly replaced. Yet when it comes to the Internet, that's exactly what those who are opposed to shutting down these websites are advocating for.

Now, I'm speaking in terms of warfare, however, the fight against terrorist websites must be an interagency effort. The intelligence community, the military, law enforcement and the State Department are all key players in a comprehensive strategy to counter the threat of jihadist websites. However, this should not solely be the province of the executive branch. In fact, I believe that comprehensive legislation directing and prescribing the activities of each agency in the cyber realm is essential to national security. Congress can and should make its mark before the executive branch takes actions on its own, forming precedence without policy.

The threat of jihadist websites is one part of a broader need for legislation directing our nation's cyber war efforts. The key to countering the influence of terrorist websites is to first ensure that those websites do not receive any support from U.S. web hosts. This can be accomplished through application of existing laws and shaming techniques. Second, we should eliminate selected sites using existing statutes and Treasury regulations. Third, we should work with allies to target those individuals who are supporting websites abroad that are beyond the reach of our law.

And finally, when necessary, actions should be taken by the Pentagon's Joint Functional Component Command Network Warfare unit and cyber command to shut down selected websites. However, this should only be done after coordination and consultation with the intelligence, law enforcement and diplomatic community, and Congress should be regularly informed of these actions. Following these steps will go a long way toward countering the influence of jihadist websites. And this concludes my formal remarks.

REP. SHERMAN: I thank you, Professor, and since you're suggesting legislation, my law school professors used to assign homework. I always wanted that opportunity -- I've always wanted to reverse that. So if you haven't done so already, your homework assignment is to draft proposed legislation implementing what you're talking about.

MR. MCNEAL: Mr. Sherman --

REP. SHERMAN: Unless you've already done so.

MR. MCNEAL: -- I would be happy to work with the committee on drafting that legislation.

REP. SHERMAN: And they say this job doesn't have perks. I just gave a homework assignment to a law professor.

We're going to hear first questions from our ranking member, Mr. Royce.

REP. ROYCE: Yes, let me ask a question of Mansour, if I could. You mentioned that your move away from radical Islam, or jihadist thinking, came as a result of an article that you read, and I wondered if you had read that on the website or, you know, if it was a pamphlet. I'm just wondering how that idea got in circulation. You were in Sudan, I think, at the time. MR. AL-HADJ: Saudi Arabia.

REP. ROYCE: This was when you were still in Saudi Arabia.

I'd also ask if -- that's Hollis (ph) -- what did you say his name was -- Hollis Jelabi (ph)

MR. AL-HADJ: Hollis Jelabi, (ph), yes.

REP. ROYCE: Jelabi (ph). Is he widely read today? I mean, is there sort of a movement in Saudi Arabia to -- no, not really.

MR. AL-HADJ: Not really. And he's basically considered, like, a bad guy or something, because he is against jihad. I mean, he interprets Qur'an and jihad in Qur'an in another way, in a peaceful way. And the radicals don't like him.

REP. ROYCE: So tell me a little bit real quickly -- somebody behind you wanted to make a comment, I guess.

MS. : Yes. Because you were asking him about -- (1:02) -- I would just add something you didn't know maybe, that he's a Syrian writer; he writes -- (1:06) -- but you know, a writer. And he's Islamic but he's not a radicalist or a criminalist (ph).

REP. ROYCE: Oh, I see.

REP. SHERMAN: Yes. Normally we don't hear from anyone sitting in the audience, but if you could please --

REP. ROYCE: I know. I made an error there, Chairman.

REP. SHERMAN: You're allowed to, but the one requirement is that the woman who just spoke needs to identify herself for the record. Can you give us your name, please?

MS. : (Off mike.) Human rights activist. And I was attending another conference here.

REP. SHERMAN: Thank you for your name.

REP. ROYCE: What I was trying to understand better was in society you went to a particular school and in that school these ideas were prevalent. Was the institution that you were in dissimilar in some ways to other schools, or is that -- or do you think this is sort of the mindset that many teachers have?

MR. AL-HADJ: Yes. I went to college in Sudan, the International University of Africa. And at that university there are many students from all parts of Africa and the world. Actually, there are American students too. That is an Islamic university. The thing -- the things that they are teaching there is just anti-Western things and actually one -- many of the students at the time, when I was there, they go and wage jihad and, you know, they are highly respected. They don't have to attend any classes, and they would really pass the exams without anything. And actually one of my professors died and lost his life in this jihad.

So the Islamic government of Sudan doing this and, you know, to spread their ideology. They want to have as many as Islamic states in Africa and around the world. So they're spreading this through bringing students, giving them free scholarship, to come to this particular school and teaching them this anti-Western and anti-human rights and things.

So the day -- the day of the 9/11, when the two towers hit, I was there -- I was a student there -- and all what you hear is their cheers and people were very happy, without knowing what happened, who did that. Just because America was hit it's something very happy for them. So --

REP. ROYCE: I've been into Sudan in Darfur, and one of the concerns I have about the particular institutions that we're talking about is the way they pushed martyrdom, but also the way they pushed sort of a genocidal campaign -- originally in south Sudan and now it's in Darfur. But in south Sudan -- in south Sudan -- that's when you were there -- they were -- they were pushing this idea.

And just to get off the topic for a minute, is it realistic to think that the government in Khartoum, with this recent history of promoting the type of jihad that we saw carried out, including the genocidal campaigns, would be willing to allow for the south to secede if that's the referendum's outcome that's in Sudan?

I just wondered about your viewpoint on this, because -- you don't have to answer that, but I do wonder; I do wonder. I mean, the Sudan government has made this agreement, but given what the old National Islamic Front government did in terms of creating this atmosphere, I just wonder if it's possible for them to live with the result of the referendum in the south.

MR. AL-HADJ: Well, there -- right now they are coming with some ideas. They're actually thinking of delaying the referendum and, you know, they are really bothered by the, you know, American support for, you know, the right for southern Sudanese to choose whether they stay united with one Sudan or have their own country. But for them that would be problematic, and I don't think they would really allow that to happen.

REP. ROYCE: One other quick question. In Saudi Arabia, how prevalent do you think the teaching in the textbooks and so forth -- what's the prevailing view in the -- on this kind of activity? What's the mindset in the schools?

MR. AL-HADJ: Well, I was -- I went to school in Saudi Arabia, and the textbooks are really -- they are anti-Western things -- they really teach us that, you know, a Muslim and Jewish are enemies at the end of the day, and you know, sometimes in the future, they will fight each other. And even the trees and stones will help the Muslim kill the Jewish. So these things I -- you know, they taught me these things.

And one of the things that -- you know, I now feel really sorry about it -- in the past, they taught us the story of prophet, Muhammad, killing the whole -- a whole tribe -- (6:45) -- in Medina because of treason or something. When I hear that story when I was young, you know, it didn't make any difference. I didn't feel any sorry. I didn't think that, you know, the prophet that, you know, had done something really horrible, you know. So there is no way of questioning the history of Islam.

And actually, right now, one religious guy in Saudi Arabia -- he's one of the writer of the textbooks, the new textbooks -- he is really radical, and he actually wants to have, like, separation in the Grand Mosque so women can be, you know, in one side and men can be in the other side, and he is one of the people who is writing the books for kids. So it is -- it is in there, and it needs to be reformed.

REP. ROYCE: If I could ask one more question, and I'll ask that of Dr. McNeal. You mention in your testimony, Dr. McNeal, that Treasury has not aggressively attempted to cut off cyber services to terrorism supporters, not even key al Qaeda facilitators. And I was going to ask you why, and what grade would you give that effort in the last administration, as well as in this administration? What's afoot here?

MR. MCNEAL: I would be hesitant to give a grade only because I haven't seen all the papers before me to grade all of them, and so -- but I would -- the Treasury can do more, and it's obvious they can do more.

In my written remarks, I highlighted a website of a key al Qaeda facilitator who's still receiving domain name services from a company in Oregon; this was as of Monday, I conducted the search and found the website myself and included some Google-translated passages of advocacy of jihad. And so that suggests to me on the surface that there could be a resource issue or a focus issue. And so that's not meant to disparage the efforts of those at Treasury, but rather to suggest that maybe that greater direction or focus needs to be placed on this problem. And I don't think across the executive branch there's been a focus on these websites, as indicated by both your opening remarks and Congressman Sherman's opening remarks. And so it's a matter of motivation, rather than a matter of desire, I think.

REP. ROYCE: Thank you. I'm out of time. I'll yield back, Mr. Chairman. REP. SHERMAN: Thank you, Mr. Royce. Do you want to go next? (Off mike exchange.) I should point out that Congressman Ellison may be back and he is not a member of this subcommittee, but he does have the great honor of serving on the full committee, and he will be allowed to ask questions to the witnesses after the members of the subcommittee have completed their questioning. With that, I'll recognize Mr. Scott.

REP. DAVID SCOTT (D-GA): Thank you, Mr. -- thank you, Mr. Chairman.

Mr. Al-Hadj -- I think I pronounced your name correctly --

MR. AL-HADJ: Al-Hadj.

REP. SCOTT: -- right. Your testimony and your comments are both enlightening and yet troubling, because it seems to me the culture of many of our Muslim countries and the whole attitude of the younger generations that are coming along, the anti-West, anti-United States, anti-Jewish sentiment appears to be growing instead of receding. Is that a fair statement?

MR. AL-HADJ: I think so, yes, because of many things. These things, they are in the sayings of the prophet and the media in the Middle East is always trying to show the U.S. are -- to show the U.S. as the cause of every problem on Muslim people around the world. So it is anti-Western notion that is really keep on growing. And something that the Muslim community here in the United States are not doing is to speak out and go and tell people that we are not disenfranchised here in America and, you know, we enjoy all the freedom and things.

I came to this country five years ago, and, you know, when I chat with my friends they would ask me, hey, are you allowed to go to the mosque? Is nobody, like, gives you any, like, problems? Are Muslims hated in America? But this is not true. I don't see an anti-Muslim thing. But when you see the media and the Muslim activists, or you know, Muslim organization, when they appear on the media, they were always trying to make themselves as victims and there is, like, a really anti-Muslim thing going on in America, but this is not true.

REP. SCOTT: Do you -- do you believe that there has to be some element of responsibility taken by the leadership in some of our more moderate Muslim countries that -- what is holding that back? Is there a -- is there a fear there's a reluctance, because no matter what we do, I mean, if somebody hates you because you're Jewish, or somebody hates you because you're from the United States, no matter what we do, we're not the instrument that can change that.

Something has to change within the culture over there. And I just don't see positive forward leadership on the part of people who you would feel educated, who work with this country, have relationships with it, who -- not taking the leadership in these Muslim communities to correct his perception. No matter what we do -- we may get interception, we may be dealing with the Internet, but that is not going to stop until we can change some attitudes and reverse this trend of anti-Americanism and anti-Israeli and Jewish feelings within the Muslim world.

And quite honestly, the tragedy of the situation is that if it does not happen, you know, we're headed down a very, very dangerous road here if we don't get some cooperation from the Muslim world and the leadership to help correct this perception. Because if what you say is true about these younger people who are just getting this hatred unfounded, we're not the answer to that, because we're the devil to them; we're the Satan to them. It has to come from the Muslim communities of itself.

So I don't want to belabor that, but I mean, I hope we have some signs of hope there. Do we? Do we have some signs of hope that we could get some counter -- to me, that's the best counterterrorism we could have, help coming from the Muslims' communities to straighten out a lot of the misinformation that's formulating these attitudes that make these young people ripe for recruitment.

You know, I just came from a trip over into Africa and to -- and went into the Casablanca area, and that country, Morocco, surprisingly, is a leading country in recruiting terrorists. And supposedly it's our friend. I mean, we give money there. We -- Rick's Cafe is there. A great American movie was named for it, called Casablanca -- he probably might not remember that -- starring Humphrey Bogart some years ago. But anyway, I would hope that this committee hearing can at least -- we can make a dramatic statement that we need -- we need

to get greater cooperation from the moderate Muslim leadership in the world to help us with this. I think that is going to be the way it would do.

But let me ask you, Mr. McNeal, in your testimony you wrote that independent watchdog sites stand in the best position to monitor jihadi extremist sites. Let me ask you, in relationship to that, what is being done to ensure that independent watchdog sites are acting legally and appropriately?

MR. MCNEAL: It would be difficult to imagine how, short of them shutting a website down themselves, how they would be violating the law. Generally, these independent watchdog sites monitor these websites and then use shaming techniques to try and get the websites shut down. We heard Mr. Ad-Hadj's example about -- I think it was 32 out of 50, or something -- pretty good result -- of Internet service providers, who once they're notified that these jihadist websites are present, on their -- on their servers, they shut them down voluntarily. And so it's -- short of these watchdog groups engaging in some sort of denial of service attack, there isn't a violation of the law there. And I think, actually, that these watchdog groups should be encouraged in that respect, because the web is so expansive, the websites are so dynamic in switching servers, that the federal government wouldn't be able to do it on its own. This is sort of the equivalent of your local neighborhood watch, providing tips to law enforcement about crimes being committed in the community. I think the shortfall is, is that when these websites inform law enforcement or Treasury, let's say, about the -- about the presence, when these watchdogs inform law enforcement about the presence of these websites, it's not always followed up on.

And we have tools to issue cease and desist orders to web hosts who are providing services to designated groups. However, if it's a non-designated group -- it's just a person advocating jihad -- there's currently no law which allows us to have that type of material removed from a website. The YouTube examples that were cited earlier are a prime example of that. But I think that for the most part that these groups, unless they're conducting direct attacks against websites, they're not violating the law.

REP. SCOTT: Okay. Let me go back to you for a moment, Mr. Boucek.

MR. BOUCEK: (Off mike.)

REP. SCOTT: I'm close. I don't mean to murder everybody's name up here. But I did get McNeal right. I could handle that.

MR. MCNEAL: Thank you, sir.

REP. SCOTT: You wrote that to get ahead of al Qaeda and Islamic extremism more broadly, we will need to shift to be proactive and not just reactive. And that brings me to the point I mentioned first in my opening -- I mean, my questioning with Mr. Al-Hadj, and that is, what more can we do to encourage the moderate voices, because I sincerely believe this is the key going forward. We've got to figure out a way to break down this wall and to turn this attitude around, else we're just chasing our tail here.

REP. SCOTT: What do you think more we could do to encourage the moderate voices in the Arab and most of the world? Some that have already, to a degree, spoken out against violence and extremism. What more can we do or should we be doing to encourage this. Are we satisfied with where we are?

MR. MCNEAL: Thank you very much. I think this is an excellent question. I think there's an awful lot that we can do, because there are an increasing number of moderate voices speaking out against violence in the region. I mean, I think you could come up with a huge list of clerics and sheikhs and officials throughout the Muslim world, in Saudi Arabia, in Egypt, who have spoken out saying that violence and terrorism is wrong and have taken action to criminalize these activities.

I think there are things we can do to help get that message out. I think we can begin by probably starting from a position that we need to know more about them so we can talk about them. But also I think there are ways that we can help get those messages out by promoting cooperation amongst differing countries, so sharing best practices in technologies for how to get these messages out, how to do education.

I also think there are probably ways that you can manipulate search results and do other things which is far beyond my technical education. I think -- another interesting point that I think leads to something you had mentioned earlier in your remarks, which is this issue of a rise in anti-American or anti-Western sentiment. And I think there are lots of causes for that, and I think it's not just religious motivation. I think it's a whole range of things from social conditions, governance, education, corruption, that feed into this process.

So I think we need to step back and see if there's a much larger cause for this. I think we also need to recognize that as there are many pathways of how people do get into violence and radicalization, people do step back from it. And there's a growing body of research that suggests that people do leave militant groups and terrorist organizations. Once we understand this better we can help facilitate that process.

REP. SCOTT: Do you think that -- and I -- (off mike exchange) --

REP. SHERMAN: I'll now call upon Mr. Ellison for five minutes for questioning. REP. KEITH ELLISON (D-MN): Well, let me thank Chairman Sherman for this hearing. I think it's very important. Unfortunately, due to multiple demands I wasn't able to hear all of the testimony but I appreciate the work that you all have done. I think it's important and I think that we don't know nearly enough in the pursuit of how to be more effective and countering the violent radicalization is something we all have to devote more time and energy to.

But since I didn't get to hear everything, let me just go out on a few ideas I have and perhaps I can get your reaction. I think that what needs to happen most of all here is that these websites need to have some competition of ideas. And what I mean by that is that if you suppress a website, and any websites proposing violent radicalization or how to -- I think you just get rid of it and that's the right thing to do.

But one that is just offering these extremist ideas I think it's maybe more effective to compete with their ideology rather than simply suppress it. And the reason why is that these people who -- it seems to me their essential argument is that America is at war with Islam. America is not at war with any religion.

America is at peace with all religions, but if they want to argue that America is at war with Islam, the most effective thing to do is not simply to

suppress the argument but to actually take that argument head-on by talking about a number of things, like our Constitution's freedom of religion; by talking about, you know, how Muslim Americans are doing, actually prospering pretty well; by talking about how leaders like, say like Michael Bloomberg have stood up and said that the Manhattan Islamic Center has as much right to be there as any other institution does; how the president stood up and spoke on this issue, and how leaders of Muslim/Christian/Jewish, of various faiths said that the threatened Koran burning was reprehensible.

I mean, I think that we should take it, take on this claim that America's at war with Islam, because it's clear that it's not. And yet if we just suppress it and don't really compete -- offer a competing vision, then we may be missing an opportunity and we might even hand these people an opportunity to say, see, this is just them trying to -- they don't want you to hear our side kind of argument.

Let me also offer you these ideas, because I know the title of this hearing today is Jihadi websites. Personally, I don't like the terminology, and the reason why is that to a Western audience the word "jihad" is a foreign word. It sounds scary, it's certainly used in a scary way. And so it whips us up over here in America. But to the Arabic-speaking world, it's much more akin to the term Freedom Fighter. And so why would we let --

REP. SHERMAN: Mr. Ellison, in my opening remarks I did comment on the preferred term being something along the line of terrorist or extremist -- REP. ELLISON: Yeah.

REP. SHERMAN: -- and discussed how the word Jihadist might --

(Cross talk.)

REP. ELLISON: Yeah, and that's not meant as a critique and I appreciate your acknowledging that, Chairman Sherman, because -- and let me just say this quite simply, and you all may agree or disagree. From the standpoint of Anwar al-Awlaki he wants to associate what he's talking about with Islam so that he can go out to the Muslim world and say, I'm the standard bearer for Islam and I want you to do this in defense of Islam.

Where we should strip them of that, and say, you're not representing Islam, you're representing murder and killing. And so they would love to use Islam as a veneer to sort of market their ideas, and I think we should really figure out how do we -- how do we not -- how do we deny them that.

I was making this point with somebody a few months ago, and they said, well, that's just what they call themselves. I said, well, that's exactly why we shouldn't call them that. None of us would say that Timothy McVeigh is a Freedom Fighter even if he called himself that. We call him a mass murderer.

Well, we should call Anwar al-Awlaki a promoter of mass murderer, and we should call Osama bin Laden an actual mass murderer. And so these -- and so whenever we say Islamic terrorists, Islamic this -- we always associate it with Islam, I think that we think we're standing up against the bad guys, but I think we may unwittingly be actually help reinforcing their argument. So -- and I also -- I actually haven't dropped it yet but I'm actually really sort of thinking a lot about perhaps a study bill on violent radicalization.

I know Jane Harmon has done this in the past. It was met by many people in the civil rights and civil liberties community with opposition because they thought it would lead to violation of human and civil rights. But I guess I'm running out of time, but if I may, can I wrap up, Mr. Chairman? But I think that we don't know enough about the topic, which is why we profile, which is what we stop the guy with the worry beads and the beard and kick him off the plane when we're letting the other one go by who's the real danger. So I've pontificated long enough. Thank you very much for listening. And if there is ever time I'd love to hear your views on what I've said.

REP. SHERMAN: I thank the gentleman. I would comment that in my district a mosque is being built and the only controversy is whether it's got enough parking spaces.

An article in Case Western Reserve University Journal of International Law discusses a strategy for containing and removing terrorist material through a process of shaming those who provide the websites to extremists and the servers, limiting the countries which host these websites they argue will make it easier to track and control.

Mr. Boucek, or Dr. Boucek, is the strategy of just naming shaming viable? And in particular in your testimony you talk about Youtube ,and apparently al Qaeda of the Arabian peninsula has a site. I know I've got a site, Keith's got a site, David's got a site. Is that site still up just because nobody's bothered to contact Youtube or is it up because Youtube has decided to leave it up?

MR. BOUCEK: Thank you very much. Taking your last point first, I cannot tell you why it is still up. At least earlier this week, on --

REP. SHERMAN: Are you aware that any -- are you aware of anybody that's contacted Youtube and say, hey, you know, this --

MR. BOUCEK: I think there are some people who have mentioned this before. I don't think it's very well known that there is this site. Probably more disturbing the video content that's available has been replicated across any number of other sites now. The very concerning thing to me, though, is that --

REP. SHERMAN: Well, you obviously find these sites. When you personally find them do you drop a line to Youtube? Do they read their mail?

MR. BOUCEK: In this case, no, I have not.

REP. SHERMAN: Okay. Well, the homework assignments are not limited to law professors. Just start this out, give me a list of the sites. I'll put a letter from me on top of it just to make sure that it's read by somebody at a more senior level, and we'll see what happens.

MR. MCNEAL: Chairman Sherman, just on that point may I just interject?

REP. SHERMAN: Yes.

MR. MCNEAL: About a year ago, Senator Lieberman sent letters to Youtube requesting this and they -- their response was they'll evaluate content that's flagged as inappropriate but they value individuals' free speech rights and so we have a legal limitation because under Section 230 of the

Communications Decency Act, web providers, it's up to them whether or not they can take something down, and determine whether or not it's obscene and --

REP. SHERMAN: Well, this is not obscene, this is put up by a terrorist organization. The testimony was not this -- it seems to have some of the content of al Qaeda of the Arabian Peninsula. This is the official site of al Qaeda -- you know, I don't think there's any doubt that our terrorism laws do not allow U.S. corporations to do business with terrorist organizations.

MR. BOUCEK: I'm able to explain why this site -- why this particular Youtube channel is still available. Over the summer, in July --

REP. SHERMAN: And -- well, we have a law professor here as well. Let's say somebody's inspired by this site. let's say they kill somebody. Are you certain that Youtube would escape civil liability?

MR. MCNEAL: I'm certain they would escape criminal liability. I'm not certain if they would escape civil liability. I believe the issue and the argument that was put forth by Youtube when this came up last year is that it's difficult for them to isolate the identity of who it is and so this site may say, we are the official website -- we are the official Youtube channel of al Qaeda on the Arabian Peninsula, but they're never going to actually -- but Youtube is unable to verify that and therefore their policy is one of openness and dialogue and shout down that type of conduct. REP. SHERMAN: Our terrorism laws would be absolutely meaningless if you could do business with a terrorist organization operating under its own name and say, well, there was no certified letter from a deity proving that it was in fact the terrorist organization.

MR. MCNEAL: Chairman Sherman, we're in agreement on this. I think that more action needs to be taken and screws need to be turned against these service providers, whether they're the biggest Youtube or the smallest.

REP. SHERMAN: I don't know how much money Youtube makes and how much its executives make, but they are endangering people throughout America for their own profit, and it is not out of great loyalty to the concept of the First Amendment, it is out of great loyalty to money. They feel that if they let everybody on, that just makes a little bit more money for them. And for them to endanger lives nationwide for that reason is a decision that they've made. And if they want to take down my site, they're welcome to. Go on. As a matter of fact, this will be up on my site. Yes?

MR. BOUCEK: I think the only point that I can contribute to this is that in the beginning of July there was the release of this English-language magazine inspired that you had alluded to in your opening remarks --

REP. SHERMAN: Yes.

MR. BOUCEK: -- shortly thereafter this site -- this channel appeared. I think one can draw the conclusion that there's a connection. As of this week when I checked this channel, all of the videos are still available and this person's accessing this site frequently and updating this material.

REP. SHERMAN: So this is a secondary site that is taking its content from the site of Youtube --

MR. BOUCEK: No, this is the Youtube channel that we've been --

REP. SHERMAN: This is -- okay, so this is a channel that brands itself as the official site of Youtube -- of al Qaeda of the Arabian Peninsula.

MR. BOUCEK: That's correct. It brands itself as the media arm for AQAP. And the very concerning thing, which I think we've all highlighted, is that you no longer need to have much knowledge or language capacity I think to access this. And you can get all of these videos and you can consume them just knowing English from anywhere.

REP. SHERMAN: Now, does the content of this site advocate violent action against Americans?

MR. BOUCEK: I think al Qaeda on the Arabian Peninsula has been very clear about its position. REP. SHERMAN: Well, I know what their positions are, but in terms of the -- what they've chosen to put up.

MR. BOUCEK: They've been advocating -- in some of the videos they've been advocating violence against American interests, American allies, American partners. I think that there is no reason why this should be available. I can't give you an answer on that.

REP. SHERMAN: Okay. And is there material there that provides useful information to those who wish to be terrorists as to how to make a bomb, how to sneak a bomb? I see --

MR. BOUCEK: I would say -- just real quickly I would say as opposed to Inspire Magazine that provides actual tactical information, how to assemble explosives --

REP. SHERMAN: Right.

MR. BOUCEK: -- what to bring on Jihad, how to engage in operations, what this does is provide you with the theological and ideological justifications to get you to that point.

REP. SHERMAN: Okay. But it's a little bit more provable that something's reprehensible when it says here's how to make a bomb rather than, here's why American foreign policy is so bad that you should hate America? There are aspects of U.S. policy that I personally hate. Let me hear from Mr. Al-Hadj, I'm going to -- pronounce your name for me.

MR. AL-HADJ: Al-Hadj.

REP. SHERMAN: Hadj, okay.

MR. AL-HADJ: Yeah, thank you, Mr. Chairman. As I come -- as I was coming to this hearing, there was one of the Jihadi websites linked inside to Facebook account, and the last -- the last thing I saw was a post on how you can make a car bomb like the ones the -- (inaudible) -- did, and they are encouraging people with specific details on how you can make --

REP. SHERMAN: I'm going to ask you to suspend for just one second. (Off mike exchange.) Please proceed.

MR. AL-HADJ: Yes, as I was coming here there was this post on --

REP. SHERMAN: And let me just remark for the record, the U.S. government does have efforts to put things up on the web that are part of our public diplomacy program to debunk what terrorists have to say. I know that's important to the gentleman from Minnesota. As to whether there will be further efforts is something I can talk to them about on the floor. But I do think the record should reflect that while we're discussing what the terrorists are doing on the website, we are of course using the Internet to communicate a much more wholesome message. The gentleman will proceed.

MR. AL-HADJ: All right. So Facebook was posting the same post that was on this Jihadi website encouraging lone wolves or, you know, individuals who want to prosecute an operation or a suicide mission, how specifically with small details how to make a car bomb, what should you buy, you know, like materials, easy materials, very accessible to everybody, how you can make a car bomb and go and do it. They, in fact --

REP. SHERMAN: So you go to Facebook and that then refers you to a site that gives you not just ideology but how-to practical information for terrorism.

MR. AL-HADJ: You go to the site, the Jihadi website, and there is a Facebook sign on it saying, okay, join us, you can join us on Facebook. So once you click there you will receive whatever they post in there.

REP. SHERMAN: Thank you. Now, Mr. McNeal, we can always ask somebody to take material down, especially some sites in certain countries won't do that. How easy is it for us as a technical matter to just use cyber attack and take the site down?

MR. MCNEAL: We have the capacity. There was an example I think you alluded to in your opening remarks that was reported in The Washington Post about a site that was known as -- the term in the field is a honeypot -- it's a place -- it's purposefully set up to bring in terrorists and track them. This was a joint operation between the CIA and the Saudi government.

REP. SHERMAN: And that's the one we took down?

MR. MCNEAL: And that's the one we took down.

But we took it down -- actually the debate over it was a healthy one that we should be having more of because the reason we took it down was that our commanding general in Iraq, General Odierno, said that this site was, in fact, costing American lives. And there was an interagency fight between DOD and the intelligence community on whether or not to take the site down.

REP. SHERMAN: Was the site taken down because it was a site sponsored by the U.S. government and they just pushed the off switch or did we cyber attack a site that another government agency was paying to put up?

MR. MCNEAL: From the public reports we took out a site that was run by the Saudi government with the cooperation of the Central Intelligence Agency. The rationale for it was that the site was providing information about how to conduct coordinated attacks on U.S. troops in Iraq. And what happens in these types of interagency --

REP. SHERMAN: Did we use the cyber attack to take it down?

MR. MCNEAL: Yes, it was a denial of service attack. The collateral consequences of that, though, were that not only was this site taken down there were some sites in Texas and other places that were affected by taking out the server.

The reason these debates come up is -- it was partly alluded to in my written remarks -- in that there are many who believe that keeping these sites up provides an intelligence value. And so the fight between DOD and the intelligent community was that if you leave it up we can continue to observe and learn more about what these individuals are doing. And that's the primary push from the intelligence community's perspective is always to gather more information to connect the dots.

It was healthy, I think, that we had that debate between taking it out and leaving it up, but it was an ad hoc one through a task force rather than an agency or a division within an agency structured to force us to have that type of communication.

REP. SHERMAN: Now, with regard to sites that are not maintained by ourselves or other governments that we are cooperating with, are we able to determine at least the email address of those who are visiting the sites? MR. MCNEAL: Not necessarily the email address, but IP address logs, server logs can tell us the --

REP. SHERMAN: That's only if the website server and provider cooperates with us. So if there's for example in Iran a website server that -- and the Iranian government chooses not to cooperate with us, then this provides -- by monitoring the site we can know what the terrorists want to say but we have no idea who they're saying it to.

MR. MCNEAL: For the most part, that's correct, Mr. Chairman. There are people who would find -- who through covert methods can infiltrate networks and find information out irrespective of the location of the network. The bigger challenge, I think, is that particularly with regard to foreign web hosts, is that because they're beyond the reach oftentimes of U.S. laws, we don't have a lot of ways to turn the screws to them unless we were to back out sort of one level from that site and almost like a trade embargo, say that, you web provider can no longer do Internet business with the U.S. service providers if you continue to provide service to that website.

And then the Iranian company, to use your example, would have to choose between funding this one -- supporting this one website or losing all of its commercial traffic from the United States. I think that would probably be an easy choice.

REP. SHERMAN: But in terms -- I mean, the argument is gathering intelligence versus taking down the terrorist site. And the question is are we really able to gather valuable intelligence. And there are two aspects of this intelligence. What do terrorists want to say. Second, who -- which individuals seem interested in what terrorists have to say, which by the way includes many people in this room. And you're saying that the second type of information is probably available only with the cooperation of the -- of the site web provider?

MR. MCNEAL: Unless an individual posing as a -- these are more forums than websites, so unless an individual posing as a member of the forum could get inside and be seen as a legitimate person who's communicating and supporting ongoing activities --

REP. SHERMAN: And then even you knew that somebody was part of that forum, they might not use their real name.

MR. MCNEAL: Right, but the goal, Mr. Chairman, would be to engage that person in conversation about operational plots they might want to take part in, and then -- and then go from the cyber world to the real world. There's some examples of us doing this in cooperation with law enforcement in Europe.

REP. SHERMAN: Well, I think we end this hearing with more specific knowledge, but we end this hearing in the same position, and that is that we will use the Internet for our own public diplomacy effort. We will occasionally -- we will certainly monitor what terrorists have to say, and that will help us with our own public diplomacy, and we will occasionally be able to detect who is on the sites that means us harm. But we are unsuccessful in taking down the sites -- often are unsuccessful by sending people letters, and we are manifestly unable to take down these sites through cyber attack because we are constrained by our own politeness. And being polite is good as long as it doesn't cost American lives.

So I thank the -- everyone for coming. Additional statements can be made for the record. I believe we're being called for a vote, and I want to thank our vice chair and our ranking member for being here at the hearing, thank you.

END.