

Testimony of W. Anders Folk  
U.S. House of Representatives  
Committee on Homeland Security  
Al Shabaab: Recruitment and Radicalization within the Muslim American Community and the  
Threat to the Homeland  
July 27, 2011

I served as an Assistant U.S. Attorney (“AUSA”) for the District of Minnesota from October 2005 through December 2011. Prior to my work as an AUSA, I was a judge advocate in the Marine Corps, prosecuting and defending Marines and Sailors charged with criminal offenses under the Uniform Code of Military Justice. I am also a Minnesota native, who attended the University of Minnesota as an undergraduate and law student. Among other duties as an AUSA, I served as the Anti-Terrorism Advisory Council prosecutor for the District of Minnesota (“ATAC”). In that capacity, I was responsible for working with the Federal Bureau of Investigation’s (“FBI”) Joint Terrorism Task Force (“JTTF”) in Minnesota to investigate individuals who were involved with terrorist groups or terrorist-related activity. In some circumstances, this led to criminal charges directly related to terrorism (e.g., providing material support to a foreign terrorist organization), and other times, charges with no direct relation to terrorism (e.g., immigration-related marriage fraud).

During the course of my duties as ATAC, I worked collaboratively with the FBI and numerous other federal agencies involved in national security to investigate *al-Shabaab*’s activities in the District of Minnesota. This assignment ultimately led to work across the United States and the world. To date, the U.S. Attorney’s Office in Minnesota and the FBI’s JTTF in Minnesota have unsealed indictments against twenty (20) individuals – nineteen of whom were Minnesota residents – involved either directly with *al-Shabaab* or who supported others connected to *al-Shabaab*.

In addition to my work targeting individuals in Minnesota who were supporting *al-Shabaab*, I was also involved in and aware of, though less so, investigations into individuals providing material support to *al-Shabaab* in other federal districts within the United States.

By way of background to the investigation of *al-Shabaab*, between September 2007 and October 2009, over twenty mostly ethnic Somali men left the Minneapolis, Minnesota area and traveled to Somalia, where they trained with *al-Shabaab*. Many of them ultimately fought with *al-Shabaab* against Ethiopian forces, African Union troops, and the internationally-supported Transitional Federal Government (TFG). Since their departure from Minnesota, these men have been involved in all aspects of *al-Shabaab*’s terrorist activities, including military training, combat, suicide bombings, and recruitment.

The unique and extraordinary threats to national security that foreign terrorist organizations present to the United States are abundantly clear. *Al-Shabaab*’s successful recruitment of U.S. citizens and lawful permanent residents and the existence of a base of ideological and actual support for *al-Shabaab* in the United States raise a number of issues that require study in order to ensure that the United States maintains its safety in the face of the threat posed by the group. The lessons learned in Minnesota and across the United States from investigating and prosecuting members of *al-Shabaab* provide an opportunity for such study.

## **General Concerns Raised by Al-Shabaab's Recruitment, Training and Operational Deployment of U.S. Citizens and Residents in Combat**

The departure of men from Minnesota to fight in Somalia on behalf of a designated foreign terrorist group raises numerous concerns for federal and state law enforcement, the national security agencies and U.S. military, and for any community which experiences recruiting, fundraising or advocacy on behalf of designated foreign terrorist groups. First, the idea that it is possible that men (or women) may leave the United States, receive military training, combat experience and religious indoctrination justifying violence against innocent people, and then return to the United States to either put those experiences to use or to recruit others to do the same, poses a significant threat. Second, the strong social and family networks that individuals leaving the United States maintain when they travel to foreign countries to join foreign terrorist organizations enhances the reach-back capability of those organizations to conduct recruiting and fund-raising in the U.S., thus enhancing the organization's ability to continue to function. Third, the recruiting of U.S. citizens and lawful permanent residents allows foreign terrorist organizations access to identification and travel documents that permit travel and access to and within the United States. Fourth, recruiting U.S. persons provides international terrorist organizations with inside knowledge about the United States that makes it easier to operate within the United States and to teach others to do the same.

There are a number of distinct challenges to protecting U.S. communities from foreign terrorist activities. First, the organizations are international, thus, often their members and resources are located outside the reach of a domestic law enforcement agency. Second, the organizations are often motivated by ideology - political, religious, or otherwise. As a result, the forces driving the groups' desire for violence or other operational activities often cannot be controlled by law enforcement in a meaningful way. Third, because the groups are international, their *modus operandi* may not be easily discernable to domestic law enforcement agencies. Fourth, their members often will not be known to law enforcement agents.

### **Background on Al-Shabaab and Al-Qaeda Recruitment Efforts**

*Al-Shabaab's* efforts to recruit foreign fighters are no secret. Its former leader, Aden Hashi Ayrow, called for foreign fighters to join *al-Shabaab* in a "holy war" against the Ethiopian and African Union forces in Somalia. This call was echoed by *al-Qaeda* leadership, including Osama bin Laden and Ayman al-Zawahiri. Since Minnesotans began leaving the U.S. for Somalia, *al-Shabaab* has made significant and repeated efforts to advertise its cause, to recruit individuals from outside Somalia to join its organization, and to raise money in support of its operations in Somalia. Such efforts are disclosed in press releases, videos released on the Internet, and documents contained in publicly available court proceedings. Additionally, these efforts include the glorification of *jihad*, espousal of rhetoric critical of the United States, and justifying violence. Illustrative of such conduct by *al-Shabaab's* are the widely distributed and viewed videos on the internet, one of which features an individual who left Minnesota and traveled to Somalia to fight for *al-Shabaab* and to recruit other men to travel to Somalia.

The Minnesotans ultimately charged as part of the investigation into *al-Shabaab* generally fell into two groups: individuals who have traveled to Somalia to fight, and individuals who have provided support from the United States to *al-Shabaab* members in Somalia or to

individuals in the United States preparing to travel to Somalia to join *al-Shabaab*. Among the men who traveled to fight in Somalia, the individuals can be further categorized based upon the year of their departure for Somalia: the classes of 2007, 2008, and 2009.

Separate from these travelers is the additional category of individuals who were investigated and charged for supporting the travelers who joined *al-Shabaab* or who independently supported *al-Shabaab* financially. This category includes an individual charged and convicted of committing perjury before a grand jury as a result of false statements related to his knowledge of individuals planning to leave the United States for Somalia; an individual charged and convicted of obstruction of justice regarding his knowledge of individuals traveling from Minnesota to California, ultimately to leave the United States and join *al-Shabaab*; and individuals raising money from supporters in the United States and sending that money to *al-Shabaab* in Somalia via the *hawala* money transfer system.

### 2007

The class of 2007 fighters left Minnesota in December 2007, traveling from Minneapolis, Minnesota to Somalia via the Netherlands and Dubai, United Arab Emirates. At the time these men left Minnesota, *al-Shabaab* was not yet designated a foreign terrorist organization by the U.S. Department of State. Upon their departure from Minnesota, members of the class of 2007 stayed at an *al-Shabaab* operated safe house outside of Mogadishu, Somalia, attended an *al-Shabaab* training camp, and in some cases, participated in combat actions on behalf of *al-Shabaab*. Of the men who left Minnesota in 2007, three ultimately returned to Minnesota. These three men were Salah Osman Ahmed, Kamal Said Hassan and Abdifatah Yusuf Isse. Isse and Ahmed both pleaded guilty to violating 18 U.S.C. § 2339A, for providing material support to terrorists. Hassan pleaded guilty to violating 18 U.S.C. §§ 2339A, 2339B and 1001, for providing material support to terrorists, providing material support to a designated foreign terrorist organization, and making false statements in an offense involving international terrorism.

Other individuals who traveled to Somalia as part of the class of 2007, but who have not returned to the United States, include Khalid Abshir and Ahmed Ali Omar. These men have been charged with a number of federal criminal offenses related to providing material support to *al-Shabaab* but remain at large.

In addition to the individuals who returned to the United States and were charged with criminal offenses, the class of 2007 included Shirwa Ahmed. On October 29, 2008, Ahmed took part in one of five simultaneous suicide attacks on targets in northern Somalia that appeared to have been coordinated. These attacks resulted in a significant number of deaths, including his own, and represented *al-Shabaab's* ability and willingness to use suicide bombers to carry out attacks.

Finally, the class of 2007 included two individuals who remained in Minnesota but were involved in criminal activity supporting the travel of men to fight in Somalia. Adarus Ali was charged with and pled guilty to committing perjury in violation of 18 U.S.C. § 1623, based on false statements he made to a grand jury that was investigating the travel of Minnesotans to Somalia to fight. Omer Abdi Mohamed was charged with and pled guilty to providing material

support to terrorists in violation of 18 U.S.C. § 2339A, based on his role in the conspiracy to assist the class of 2007 to travel to Somalia.

## 2008

In January 2008, Mahamud Said Omar was the first of the class of 2008 to travel to Somalia from Minnesota. While in Somalia he stayed at an *al-Shabaab* safe house with other Minnesotans. While at the safe house, he provided money to purchase AK-47 assault rifles and to operate the safe house. Mahamud Said Omar returned to Minnesota in April 2008, during which time he remained in contact with members of the conspiracy and members of *al-Shabaab*. Upon his return, he assisted other Minnesotans in their departure from Minnesota to Somalia. Mahamud Said Omar left the United States for a second time later in 2008, and was ultimately arrested in the Netherlands pursuant to charges filed in the District of Minnesota, alleging Mahamud Said Omar's activities in support of *al-Shabaab*.

In February 2008, Zakaria Maruf traveled from Minnesota to Somalia to join *al-Shabaab*. Maruf was charged with a variety of terrorism-related offenses following his departure to Somalia. Maruf's later death in Somalia was widely-reported. The reports surrounding Maruf's death included descriptions of Maruf's efforts to recruit additional fighters from Minnesota, in a manner consistent with the recruiting language and themes found in *al-Shabaab's* videos available on the internet.

In August 2008, Mohammed Abdullahi Hassan and Mustafa Ali Salat left Minnesota for Somalia to join *al-Shabaab*. Each has been charged with a variety of criminal offenses related to providing material support to *al-Shabaab*.

In November 2008, Abdisalan Hussein Ali, Abdikadir Ali Abdi and others, left Minnesota for Somalia to join *al-Shabaab*. This departure took place less than one week after Shirwa Ahmed conducted his suicide bombing attack on behalf of *al-Shabaab* in Somalia. Abdisalan Hussein Ali and Abdikadir Ali Abdi have been charged with a number of criminal offenses related to providing material support to *al-Shabaab*. They remain at large.

Among the men in the class of 2008, the following have been reported killed in Somalia: Zakaria Maruf, Troy Kastigar, and Burhan Hassan.

## 2009

In October 2009, three additional Somali men left Minnesota and traveled to Somalia to fight. Amongst them was Farah Mohamed Beledi, recently identified publicly by the FBI and his family as being killed in Somalia in an attempt to detonate a suicide bomb. Another man who traveled to Somalia to fight on behalf of *al-Shabaab* was Cabdullahi Faraax. Faraax was charged not only with terrorism-related offenses, but also with lying to the FBI on multiple occasions about his knowledge of terrorist-related activities in and around Minneapolis, Minnesota.

As part of the class of October 2009 travelers, Abdow M. Abdow was also charged with and pleaded guilty to lying to the FBI regarding his knowledge of others who traveled with him from Minnesota to California.

## Financing

The criminal cases against Minnesotans and others throughout the United States financially supporting *al-Shabaab* highlight the central role that money plays in sustaining terrorist organizations. As illustrated by the cases of Amina Ali and Hawo Hassan in Minnesota, Nima Ali Yusuf, Basaaly Saeed Moalin, Mohamed Mohamed Mohamud and Issa Doreh in San Diego, California, and Mohamud Abdi Yusuf in St. Louis, Missouri, fundraising has occurred across the United States to support *al-Shabaab*. As set forth in the charging documents in these cases, *al-Shabaab* supporters sought financial support from others that they would then pool and send to members of *al-Shabaab* located abroad. Cutting off the ability for those in the United States to provide financial support to *al-Shabaab* is crucial to diminish *al-Shabaab's* ability to carry out terrorist operations.

## Recruiting

*Al-Shabaab* has made no secret of its desire to recruit individuals from abroad to join its cause. *Al-Shabaab's* efforts to recruit include edited videos posted on the internet. These videos depict *al-Shabaab* training camps, combat footage involving *al-Shabaab*, and religious messages in an effort to glamorize and justify their actions. The videos include statements by individuals such as Omar Hammami, a U.S. citizen, encouraging others to join *al-Shabaab* and justifying the terrorist activities of *al-Shabaab*. At least one video put out by *al-Shabaab* includes rap or hip-hop style music and a message that appears clearly to focus on recruits in Western Europe or the United States. Additionally, videos celebrating the death of *al-Shabaab* fighters and extolling their virtues as “martyrs,” to include individuals from Minnesota, have also circulated on the internet.

In addition to the formal attempts to recruit through the internet and media, *al-Shabaab* has used its recruits to conduct further recruiting. As set forth in charging documents and a variety of interviews of individuals in Minnesota by the media, those men who left Minnesota to fight in Somalia have maintained contact and communication through phone calls, the internet and email with friends and family in Minnesota. In part, such contact has included the recruiting of others to join *al-Shabaab*. One of the more disturbing elements of *al-Shabaab's* recruiting efforts in the United States has been the number of recruits leaving the United States who are teenagers. The fact that *al-Shabaab* has managed to convince very young men that a better life exists for them in Somalia, despite its abject poverty, lack of a functioning government and violence, is a testament to the persuasiveness and allure of its message.

In addition to recruiting by *al-Shabaab* as an organization and by individuals on behalf of *al-Shabaab*, religious figures such as *Anwar al-Awlaki* have provided potential recruits with ideological underpinnings for individuals to fight in Somalia on behalf of *al-Shabaab*. As has been publicly reported, *al-Awlaki's* “Constants on the Path to *jihad*” has provided recruits and potential recruits with an ideological framework, however distorted and incorrect it may be, to fight on behalf of *al-Shabaab* in Somalia.

## **Threat Posed by Al-Shabaab**

It is impossible to predict with certainty what, if anything, and who, if anyone, will come to the United States after training and indoctrination by *al-Shabaab*. It is obvious, however, that individuals who are trained, indoctrinated and deployed in combat by *al-Shabaab* have learned how to carry-out acts of lethal violence. Additionally, it is clear that the ideology espoused by *al-Shabaab* echoes that of *al-Qaeda*. This combination of ability and ideology illustrates the threat that is posed by even one *al-Shabaab* veteran residing in the United States. The ability to prevent or detect such a person from entering the United States or carrying-out any terrorist acts in the United States requires continued vigilance of the group's activities in Somalia, but also to ensure that supporters or sympathizers within the United States are targeted for investigation.

## **Deterrence of Al-Shabaab Recruitment, Fundraising and Violence in the United States**

To fight *al-Shabaab* and its supporters, the United States must engage in a multi-faceted approach that utilizes all of the United States' abilities, including military, intelligence, law enforcement and diplomatic options. Further, this effort must be carried out in Somalia, the Horn of Africa, and the United States.

Consistent with U.S. legal authorities, a focus must remain on Somalia and the Horn of Africa, and importantly include Yemen, to ensure that the U.S. targets *al-Shabaab* in the same manner as it does other foreign terrorist organizations, such as *al-Qaeda*, and *al-Qaeda* in the Arabian Peninsula. This targeting should focus on the application of military power and intelligence-gathering techniques to make certain that if there are threats or potential threats to the United States in foreign countries, those threats are extinguished in that foreign country and the information regarding those threats is provided as quickly as possible to the FBI and other relevant agencies. This will increase the likelihood that any connections to the threat that come from or link to the United States are identified and either eliminated or mitigated.

Second, the FBI must continue to investigate and prosecute those within the homeland who provide, attempt, or conspire to provide, support to *al-Shabaab*. This investigation and prosecution requires the continued use of all techniques within the FBI's lawful authorities under the Foreign Intelligence Surveillance Act ("FISA"), Title-III of the Omnibus Crime Control and Safe Streets Act of 1968, and the Attorney General's guidelines, to target groups and individuals supporting *al-Shabaab* within the United States. Additionally, as is illustrated by the Minnesotans who have left to fight in Somalia, the FBI's relationships with foreign law enforcement and intelligence agencies are imperative to allow the United States to track suspects and if possible, affect their arrests in foreign countries where appropriate.

Third, military, intelligence and law enforcement techniques must be complimented through local outreach within the United States to the communities with members who have supported *al-Shabaab*. For example, the Somali community in Minnesota has experienced first-hand the negative effects that *al-Shabaab* recruiters have had in their communities. One way to work to gain cooperation and assistance from the Somali community is to provide education regarding how the Department of Justice's investigative processes, the legal system generally, and civil rights operate, as well as ways they can help to strengthen their communities against the

message of *al-Shabaab* recruiters. Younger Somalis have in many cases invested in the United States through their education and employment, as well as through their athletic and social networks. It is important to ensure that they understand the government's interest in them is not limited to putting their name on an indictment. Additionally, law enforcement will be more effective in its ability to detect and prevent extremist behavior if the Somali community trusts the FBI enough to make contact with the FBI or other law enforcement if the community has concerns.