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United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

PETER K. LEVINE, STAFF DIRECTOR
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September 3, 2013

The Honorable John McHugh
Secretary of the Army
1600 Army Pentagon
Washington, DC 20301-1600

Dear Secretary McHugh:

I strongly urge that you now evaluate, based on the evidence presented at trial, whether the attack at Fort Hood, Texas was in fact an international terrorist attack and, if so, to award the Purple Heart Medal to the military victims. As Ranking Member of the Committee on Armed Services, it was appropriate that I should avoid public comment on this matter during the court-martial proceedings to ensure a fair and just result through the military justice process. However, Major Nidal Hasan has now been convicted by a general court-martial on all counts of premeditated murder and attempted premeditated murder and he was sentenced to death. I am writing to ask that you conduct a full and objective review to determine if the victims of this terrorist attack are entitled to receive the Purple Heart Medal.

As you are aware, the Purple Heart differs from all other military decorations in that an individual is not "recommended" for the decoration; rather he or she is entitled to receive it upon meeting specific criteria. Army Publication 600-8-22 authorizes the Secretary of the Army to award the Purple Heart Medal to members of the Armed Forces of the United States who, while serving under component authority in any capacity with one of the U.S. Armed Services, has been wounded or killed, or who has died or may hereafter die after being wounded as the result of an international terrorist attack against the United States, recognized as such an attack by the Secretary of Army.

The evidence presented during the court-martial established beyond any doubt that this was not "workplace violence"; it was a terrorist attack. The tragic deaths and injuries were conducted with premeditation by Major Hasan who publically declared he had "switched sides" in the ongoing conflict and joined the enemies of the United States, and he was acting with the specific intent of aiding those enemies when he intentionally killed 12 soldiers, one civilian, and wounded

32 others at the Fort Hood Soldier Readiness Processing Center on 5 November 2009. Hasan conducted these attacks in the name of the enemy following communications with Anwar al-Awlaki, a radical cleric who was head of external operations for Al Qaeda in the Arabian Peninsula, a Yemen-based affiliate of Osama bin Laden's terrorist network. Al-Awlaki, who was killed by U.S. forces in 2011, was described by President Obama as a cleric who had taken "the lead role in planning and directing the efforts to murder innocent Americans." In an *al-Jazeera* interview, al-Awlaki stated he had known Hasan. In the months leading up to the Fort Hood shooting, al-Awlaki stated he exchanged emails with Hasan on several occasions. According to al-Awlaki, Hasan asked him if the "killing of American soldiers and officers is lawful or not." The answer from the senior al Qaeda leader was: "yes." Based on this evidence it is appropriate that you should evaluate whether this constitutes an international terrorist attack that would entitle these victims to receive the Purple Heart Medal.

It is my understanding that recommendations for award of the Purple Heart Medal based on international terrorist attacks must include a written evaluation from the Major Army Command security and intelligence staff officer which must indicate international terrorist activity was involved in the pertinent incident prior to forwarding the Purple Heart recommendations to the Secretary of the Army for final decision. I urge you to direct this evaluation be expeditiously completed to inform your decision whether the victims of this terrorist attack are entitled to receive the Purple Heart Medal.

I look forward to hearing from you on this matter.

Sincerely,



James M. Inhofe
Ranking Member