

FIRESIDE CHAT WITH GOVERNMENT OFFICIALS

Questions and Talking Points

(Note: These will be submitted to Google as suggested questions that can be posed to the government officials participating in the Fireside Chat.)

1. How are terrorists using the internet?

Based on what we have seen, terrorists (both international and domestic) use the internet for a range of activities-- from recruiting new supporters, to promoting themselves and their violent ideologies, to inspiring and helping plot attacks. The movement of information across the internet has given individuals access to ideas, technical know-how, and resources that were previously exclusive to state-level actors.

DHS and the UK Home Office have developed a briefing specifically for tech companies/content moderators to provide more information on the trends we are seeing, which we are happy to share with you. DHS and Tech Against Terror will host a briefing this afternoon where aspects will be previewed and when we can help your companies access it on their knowledge sharing platform.

The 90 minute training is designed to educate staff at startup companies and content moderators at the leading social media companies about how terrorists may seek to exploit their platforms.

The majority of the training examines the online activities of ISIS, al-Qa'ida, and their supporters, as well as White Supremacist Extremists.

The threat portion of the training is structured chronologically to show how terrorist use of the internet has continually evolved, but the vast majority of content is focused on trends during the past few years since those are the most relevant.

The final section of the course highlights select initiatives where governments and industry have worked either together or independently to counter this threat.

2. How are your governments supporting NGOs interested in developing and deploying credible counter messages?

Through our grant program, run by the Office of Terrorism Prevention Partnerships, DHS is funding several organizations that are developing online counter message campaigns. We recognize that government isn't always the best placed to be credible in this space, so we look toward NGOs to provide counter-messages that resonate with specific audiences. The most effective counter-messages come from within a community – not from big government. Additionally, DHS has also sponsored two Digital Forums on Terrorism Prevention to help build the capacity of credible voices in communities. We hope to sponsor more of them in the future.

3. Will your government support legislation that pushes content service providers to take down terrorist content in a matter of hours?

While we understand the urgency felt by our European partners, we remain committed to the belief that voluntary cooperation will be far more effective than legislation in solving this problem. We want the tech sector to have the freedom to operate and to simultaneously develop technologies to reduce illegal content hosted on its platforms.

4. If we take down terrorist content, aren't we just pushing terrorists to encrypted platforms?

Yes, and to some extent that is unavoidable. But making it harder for terrorists to operate in the open is still a win. It makes them far less effective in their ability to recruit, particularly amongst the youth who are not hardened terrorists but are for the most part just trolling around the internet.

5. What does the government think are adequate consequences for those who use tech platforms for terrorism activities?

"Terrorism activities" is a broad phrase. The government can prosecute cases based on acts of terrorism and those found guilty of material support to terrorism. But I want to be clear, we 100% support freedom of expression, the exchange of ideas, and believe the internet offers an important space for debate and self-expression. But it is when expression crosses into violent action, when a theoretical concept turns into building bombs and planning attacks that we all have to take action.

From your company's standpoint, I would suggest you review the terms of service for your platform, and identify opportunities to hold bad actors accountable for their actions. You know your platform best.

We welcome all of your innovative recommendations to ensure that radicalization to violence, whether by a foreign terrorist organization or a domestic terrorist movement, is rendered ineffective on your platform.

6. Could the government fund student-run online messaging campaigns? Why doesn't that happen anymore like it did under the Peer to Peer: Challenging Extremism Program?

P2P is an innovative program, and we are happy that its efforts have continued after DHS has funded the pilot phase. We were encouraged to see Facebook's interest in funding their international competition, and challenge the tech sector to similarly sponsor and identify additional opportunities to amplify credible voices on their individual platforms. Going forward, we feel that student-run programs will be more effective if they are run and funded by the private sector. At this time, there are no plans to provide further funding.

7. How does your government view the threat of domestic terrorism and why aren't policies or statutes the same as those addressing international terrorism?

The threat of domestic terrorism is very real in the United States, as there are numerous actors looking to use ideologically motivated violence to advance their agenda. Our government is concerned with a diverse and distributed set of domestic terror movements.

The most recent statistics from the FBI bear out this significant challenge. The most recent statistics revealed 5700 perpetrators of hate crimes instigated over 6000 hate crime incidents resulting in over 7500 victims from across the United States, an increase from the year previous. So that is the challenge, but what of the response. For DHS, a framework consisting of a number of laws already exists that currently allows DHS to address the issue of domestic terrorism (hate crime laws, federal criminal statutes, conspiracy, accessory after the fact, etc.) and to fulfill its statutory missions.

One of the primary missions of DHS is to prevent hate crimes and domestic terrorism. One example of how we do this is the Domestic Terrorism Community Awareness Briefing was developed by an interagency task force beginning in July 2017 and has since been delivered to hundreds of key community members and law enforcement officials. Its delivery was piloted by the DHS Office of Terrorism Prevention Partnerships and delivered by their field staff in over a dozen cities beginning last year. It covers seven categories of violent domestic extremist movements and describes the process of radicalization, motivations for joining these movements, how they recruit, the role of social media in recruitment, and what community members and law enforcement can do to prevent the success of these movements.

Definitions: While definitions of what *is* “terrorism” can sometimes be confusing, what federal - or state - prosecutors ultimately elect to charge is driven by what legal statutes exist and how to best meet the burden of “beyond a reasonable doubt” in a courtroom for a jury.

“Terrorism” - of any kind - is defined under federal law as an “act dangerous to human life” that is “a violation of the criminal laws of the United States or of any State” that “appear to be intended (i) to intimidate or coerce a civilian population, (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.” However, federal *enforcement* statutes for terrorism and other violent conduct are limited to those crimes for which the U.S. Congress has determined there to be a national federal interest. These crimes generally fall into two buckets: (1) crimes inherently federal in nature (think federal taxes, border security, international), and (2) crimes that have an interstate dimension (thus, making such multi-state offenses ones in which there is a federal interest).

In this context, it makes sense that under the banner of “International Terrorism,” there is a specific array of statutes that focus on protecting national, federal interests such as the homeland’s structures, citizens, and values. This includes “designated” international terrorist groups for whom providing “material support” is prohibited. Generally, these designated groups espouse the destruction or attack of the U.S., its citizens, or its values, or those of U.S. allies.

Domestic Terrorism Definition: However, there is not a separate federal *crime* of “domestic terrorism,” nor is there any list of groups within the U.S. who are “designated” as “domestic terrorist groups.” Instead, individuals are charged with the underlying criminal offenses that were committed. Although there are a number of domestic organizations that espouse extremist ideologies, the government may not investigate – or prosecute – individuals or

groups based solely on their beliefs, because holding or expressing even hateful ideologies is not illegal and is, in fact, protected by the First Amendment.

It is when individuals in the U.S. espousing such viewpoints use violence to advance such ideologies that their actions cross a legal threshold. There is a significant array of crimes that may be charged, including, among others, Civil Rights violations and Hate Crimes under which DOJ successfully charges violent extremists of all types, including persons espousing eight violent domestic *extremism ideologies* as identified by the FBI.

8. What is the difference between what the FBI is doing with tech companies versus what DHS is doing with tech companies?

The FBI is the Federal Government's lead law enforcement agency for terrorism investigations. As such, their engagement with the tech industry tends to be specific to cases where laws are being broken and in pursuit of evidence for future prosecutions.

DHS on the other hand is not charged with prosecuting terrorism cases –instead one of DHS's core missions is to prevent terrorism. It is a broad mandate and is carried out in a variety ways. For example, we are responsible for preventing terrorists from entering or remaining in the country, and for preventing the introduction or importation of weapons of mass destruction (WMD) into the homeland through screening, search, detection, and interdiction. DHS coordinates its prevention activities and shares intelligence and information, as appropriate, with local, state, tribal, and territorial governments and its partners in the Federal Government and private sector.

DHS's engagement with the tech sector on terrorist use of the internet is therefore focused on providing education and awareness of the threat and working collaboratively with technology companies so that they can better understand the threat; voluntarily remove content that violates their terms of service; and better connect with voices in the community that are trying to challenge the terrorist message.

9. Now that ISIS has lost much of its territory, will it be more difficult for it to use social media?

ISIS remains a significant threat for inspiration of attacks around the world. Their ability to claim a supposed caliphate is over but that isn't stopping them from continuing to promote terror. Now they are claiming a duty for revenge.

Their media shop is tech smart, multi-lingual, and able to work across the world. They are continuing to try to recruit and motivate potential supporters online. That is why we must continue to build the capacity of voices that challenge ISIS's totalitarian and murderous worldview.

Additionally, as we have seen throughout history, other violent extremist groups beyond ISIS will continue to leverage communication platforms for recruitment, radicalization, and mobilization. It isn't so just ISIS itself that we need to defeat – we need to defeat the violent, nihilist ideology that they preach.

10. Why is it important that credible voices in communities learn to be more effective online?

Government doesn't have the attention of the audiences that terrorists are targeting for recruitment and inspiration. Governments also doesn't have much credibility with such audiences. Isolated, disconnected individuals don't usually consider big government to be "cool".

Community leaders are in the best position to challenge terrorist narratives directly but they are not always familiar with the best ways to market their message online. For example, a few years ago, as ISIS was emerging and posting horrible videos, several of the most influential Imams in America issued fatwas against ISIS at a press conference. It was covered by mainstream media but the message received under 20 retweets online. One of the ways you all can help fight terrorism is by helping more moderate voices reach a broader audience through your platforms. For many it is a brave act to publically challenge extremism. You should do what you can to support them.

Additionally, to help better support credible voices in communities, at DHS we have provided training on digital literacy and online counter messaging training to our grant recipients, many of which are community organizations. This includes a 7-week class, the Digital Marketing Academy on Terrorism prevention, and an accompanying handbook. But you are the ultimate partner for them. You have the capacity and opportunity to radically expand their reach.

From: DHS Legislative Affairs Updates
To: (b)(6)
Bcc: Dinh, Uyen; Micone, Vincent; Ciccone, Christine; Hymowitz, Emily; Ammons, Samantha; (b)(6)
Subject: DHS SIGNED RESPONSE TO YOUR November 27, 2018 Letter Workflow 1172174
Date: Wednesday, December 19, 2018 4:24:00 PM
Attachments: Nadler Response 12.19.18 v2 signed by AS Hill.pdf
18-6868 Nadler 11.27.18.pdf
18-6868 Nadler Enclosures to transmit 12.19.18 v2.pdf
Importance: High

In an effort to expedite and streamline the process of submitting signed letters to the Hill, the Office of Legislative Affairs is submitting responses electronically via email. If you would like to receive the original signed letter, please let us know and it will be mailed to your office via the U.S. Postal Service.

We encourage your office to continue to send its congressional correspondence to our mailbox (b)(6) to provide for the most efficient processing.

Thank you for your interest in the Department of Homeland Security.

Office of Legislative Affairs
U.S. Department of Homeland Security
Washington, DC 20528
Telephone: (b)(6)



Homeland Security

December 19, 2018

The Honorable Jerrold Nadler
U.S. House of Representatives
Washington, DC 20515

Dear Ranking Member Nadler:

Thank you for your November 27, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

The U.S. Department of Homeland Security (DHS) takes all threats of terrorism seriously and remains focused on the safety and security of all Americans at home and abroad. I appreciate the opportunity to answer your questions and describe what DHS is doing to protect against the threat of domestic terrorism and to combat hate crimes, while at the same time protecting the civil rights and civil liberties of all Americans.

The primary mission of DHS is clearly defined in *the Homeland Security Act of 2002*, to "prevent terrorist attacks within the United States." As a Department we are fully committed to that mission regardless of the ideology of the perpetrators of any terrorist act.

Your letter correctly contextualizes the threat landscape in the United States, to include the prevalence of hate crimes and domestic terrorist attacks, which can stem from the same ideological underpinnings. DHS has a robust approach based on the resources allocated by Congress to preventing terrorism, and the enclosure to this letter describes in detail the actions DHS has and is taking to prevent domestic terrorism and hate crimes as a critical aspect of our core mission. There are three additional enclosures that provide further detail and context to the questions posed in your letter and in previous letters.

I appreciate your interest in protecting Americans from all ideologically motivated violence and look forward to a productive working relationship with you in our continued efforts to prevent terrorism. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "John H. Hill".

John H. Hill
Assistant Secretary

Enclosures

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Fifteenth Congress

November 27, 2018

The Honorable Matthew Whitaker
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue NW
Washington, D.C. 20535

The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, D.C. 20528

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Dear Acting Attorney General Whitaker, Secretary Nielsen, and Director Wray:

As you are no doubt aware, Members of the House Judiciary Committee have written repeatedly to the Trump Administration and Chairman Goodlatte¹ on matters related to domestic terrorism, countering violent extremism, domestic surveillance, and the unfair profiling of racial, religious, and ethnic minority groups. To date, we have received little or no substantive response to any of these communications.

According to the latest FBI reporting, hate crimes increased by 17 percent last year—and approximately three out of five of the more than 7,100 incidents appear to have been motivated by race or ethnicity.² The report also shows that hate crimes motivated by anti-Semitism rose by 27 percent. We have reason to believe that even these troubling numbers fail to capture the extent of the problem, as hate crimes remain vastly underreported by federal, state, and local law enforcement agencies across the United States.³

¹ Letter to Chairman Bob Goodlatte from Ranking Member Jerrold Nadler and Reps. Sheila Jackson Lee & Steve Cohen, "Calling for emergency hearings on hate crimes and domestic terrorism in the wake of white supremacist violence" (Oct. 29, 2018).

² U.S. FED. BUREAU OF INVESTIGATION, HATE CRIME STATISTICS 2017 (Nov. 13, 2018).

³ John Eligon, *Hate crimes increase for the third consecutive year F.B.I. reports*, N.Y. TIMES, Nov. 13, 2018; James Hohmann, *The daily 202: hate crimes are a much bigger problem than even the new FBI statistics show*, WASH.

The warning signs have been with us for some time. In May 2017, a joint FBI-DHS intelligence bulletin warned of the growing threat of violence posed by white supremacists, Neo-Nazis, right-wing extremists, and other white nationalist groups.⁴ Between 2008 and 2016, plots and attacks by white nationalist groups in the United States outnumbered the threat from Islamic extremists two-to-one.⁵ White supremacist groups are also recruiting aggressively on college campuses.⁶ Since 2014, more than 100 people have been killed or injured by perpetrators influenced by “alt-right” propaganda—more than 60 in 2017 alone.⁷ Recently, the FBI categorized the increasingly well-known “Proud Boys to be an extremist group with ties to white nationalism.”⁸ It is also encouraging to learn that the Administration is studying the problem and has created a central online hub for hate crime resources,⁹ but Congress remains largely in the dark as to any concrete steps you may have taken to monitor, track, and prevent this hate-based, homegrown violence. However, there appears to be a politically driven effort to diminish programs that empower communities to counter the influence of extremist ideology.¹⁰ Reports indicate the Administration cancelled grants for organizations that help de-radicalize white supremacists and for researchers who develop media campaigns aimed at diminishing the online influence of these groups.¹¹

Reporting also suggests that the Administration remains focused on targeting specific racial and ethnic minorities as the suspected main sources of domestic terrorism. A draft report by the Department of Homeland Security, leaked in early 2018, details a plan to track and surveil Sunni Muslims in the United States.¹² The FBI’s August 2017 Intelligence Assessment—issued

POST, Nov. 14, 2018. *See also* Arjun Singh Sethi, *The FBI recoded a surge of hate crimes last year. But it undercounted—by a lot*, WASH. POST, Nov. 14, 2018

⁴ U.S. FED. BUREAU OF INVESTIGATION & DEPT. OF HOMELAND SECURITY, JOINT INTELLIGENCE BULLETIN: WHITE SUPREMACIST EXTREMISM POSES PERSISTENT THREAT OF LETHAL VIOLENCE, IA-0154-17 (May 10, 2017).

⁵ David Neiwert et al., *Homegrown terror: explore 9 years of domestic terrorism plots and attacks*, CENTER FOR INVESTIGATIVE REPORTING, June 22, 2017; David Neiwert, *Far-right vigilantes have hatched far more terror plots than anyone else in recent years*, CENTER FOR INVESTIGATIVE REPORTING, June 21, 2017

⁶ ANTI-DEFAMATION LEAGUE, *WHITE SUPREMACISTS PROPAGANDA SURGES ON CAMPUS* (Jan. 29, 2018).

⁷ SOUTHERN POVERTY LAW CENTER, *THE ALT-RIGHT IS KILLING PEOPLE* (Feb. 5, 2018).

⁸ Megan Keller, *Proud Boys classified by FBI as 'extremist group' with ties to white nationalism*, THE HILL, Nov. 19, 2018.

⁹ U.S. Dept. of Justice, Press Release, *Justice department releases update on hate crimes prosecutions and announces launch of new hate crimes website*, Oct. 29, 2018.

¹⁰ *See* Laura Strickley, *Trump admin will apparently not renew program to fight domestic terror*, NBC NEWS, Oct. 31, 2018; John Hudson, *The Gorka that matters isn't leaving the Trump administration*, BUZZ FEED, Aug. 29, 2017; and Peter Beinart, *Trump shut programs to counter violent extremism*, THE ATLANTIC, Oct. 29, 2018.

¹¹ *Id.* *See also*, Ron Nixon & Eileen Sullivan, *Revocation of grants to help fight hate under new scrutiny after Charlottesville*, N.Y. TIMES, Aug. 15, 2017.

¹² George Joseph, *Draft DHS Report Called for Long-Term Surveillance of Sunni Muslim Immigrants*, FOREIGN POLICY, Feb. 5, 2018. This draft report has been misleadingly labeled as *Demographic Profile of Perpetrators of Terrorist Attacks in the United States Since September 2001 Attacks Reveals Screening and Vetting Implications*.

shortly after nation-wide protests against police brutality—concluded that “Black Identity Extremism,” defined in part by “perceptions of police brutality against African Americans,” remains a threat to law enforcement.¹³ Shortly after the Dallas police shooting by a lone sniper, the FBI reportedly circulated emails stating there was “a threat of black supremacist extremists attempting to violently co-opt the upcoming DNC/RNC.”¹⁴

These concerning trends in law enforcement play out against the backdrop of President Trump’s rhetoric. He calls himself a nationalist.¹⁵ He falsely claims that “foreigners” are the primary sources of domestic terror.¹⁶ He famously claimed that there were “some very fine people on both sides” of the riot in Charlottesville—where a neo-Nazi demonstration ended in the death of one counter-protestor and two officers of the Virginia state police.¹⁷

In the next Congress, this Committee will likely examine the causes of racial and religious violence, assess the adequacy of federal hate crimes statutes, and scrutinize targeted domestic surveillance of specific groups. We need to work together to study the disturbingly increasing number of hate crimes, the growing threat of far right and right wing extremism, and the disparate treatment of minority communities in terrorism investigations. The horrific massacre at the Tree of Life Synagogue in Pittsburgh, the murder of an African-American couple in a Kentucky grocery store and Indian engineers in a Kansas bar, and the package bombs sent to Trump opposition figures are only the most recent reminders of the ever-present threat of extremism in our country.

To that end, I ask that you provide a complete response to the questions posed in each of the following letters sent to you by some or all of the Members of this Committee:

- A February 3, 2017 letter to Acting Attorney General Dana Boente from Ranking Member Conyers, Ranking Member Thompson, and Ranking Member Engel, requesting answers to reports that President Trump intended to overhaul the government Countering Violent Extremism program in a manner that would target and single out Muslim Americans.

¹³ U.S. FED. BUREAU OF INVESTIGATION, INTELLIGENCE ASSESSMENT: BLACK IDENTITY EXTREMISTS LIKELY MOTIVATED TO TARGET LAW ENFORCEMENT OFFICERS (Aug. 3, 2017).

¹⁴ Sweta Vohra, *Documents show U.S. monitoring of Black Lives Matter*, Al Jazeera, Nov. 28, 2017 (“based on known intelligence and/or specific, historical observations, it is possible [First Amendment] protected activity could invite a violent reaction towards the subject individuals or groups, or the activity could be used as a means to target law enforcement”).

¹⁵ Weijia Jiang, *Trump doubles down on dubious immigration claims ahead of midterms*, CBS NEWS, Oct. 23, 2018.

¹⁶ Benjamin Wittes, *The justice department finds ‘no responsive records’ to support a Trump speech*, LAWFARE, July 31, 2018.

¹⁷ Rosie Gray, *Trump Defends White Nationalist Protestors: ‘Some Very Fine People on Both Sides,’* ATLANTIC, Aug. 15, 2017.

- A February 22, 2017 letter to Attorney General Jeff Sessions, Secretary John Kelly, and FBI Director James Comey, led by Representative Stephanie Murphy and signed by 150 members, urging federal agencies to address threats to Jewish organizations.
- A June 7, 2017 letter from the Congressional Black Caucus to Attorney General Jeff Sessions and FBI Acting Director Andrew McCabe, calling for the dedication of additional resources to hate crime investigations and prosecutions.

I also ask for your assistance in securing responses to an August 2, 2018 letter to President Trump from Ranking Member Nadler and Representative Lofgren to President Trump, asking how and why he issued false statements concerning terrorism-related offenses when addressing the country before a joint session of Congress.

Finally, in light of recent events, I also ask that you respond to the following:


1. With respect to the creation and dissemination of the “Black Identity Extremists” intelligence assessment, please provide a list of any groups that have been designated as BIE, as well as any documents supporting such designation. In addition, please provide any communications by Department personnel relating to “a threat of black supremacist extremists attempting to violently co-opt the upcoming DNC/RNC.”¹⁸
2. Have you disseminated any intelligence assessments—similar to the BIE assessment—that identify specific minority groups as threats? If so, please provide us with copies of these assessments and any supporting documentation.
3. With respect to the creation and dissemination of a report titled *Demographic Profile of Perpetrators of Terrorist Attacks in the United States since September 2001 Attacks Reveals Screening and Vetting Implications*, please provide us with copies of any drafts of this report, any supporting evidence for this report, and a description of any actions taken or considered related to the conclusions set forth in the report.
4. Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security related to the recommendations set forth in the GAO report titled, *Countering Violent Extremism: Actions Needed to Define Strategy and Assess Progress of Federal Efforts*.
5. Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security concerning the scope of existing “Countering Violent Extremism” programs, including but not limited to efforts to re-label such programs as “Countering Islamic Extremism” or “Countering Radical Islamic Extremism.”

¹⁸ Sweta Vohra, *Documents show U.S. monitoring of Black Lives Matter*, Al Jazeera, Nov. 28, 2017 (“based on known intelligence and/or specific, historical observations, it is possible [First Amendment] protected activity could invite a violent reaction towards the subject individuals or groups, or the activity could be used as a means to target law enforcement”).

6. Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security concerning the scope of the "Office of Community Partnerships," including but not limited to efforts to reduce grant funding or rename the office as the "Office of Terrorism Prevention Partnerships."

I ask that you provide a complete response to these requests no later than December 31, 2018. Thank you for your prompt attention to this matter.

Sincerely,



Rep. Jerrold Nadler
Ranking Member
House Committee on the Judiciary

cc: The Hon. Bob Goodlatte, Chairman, House Committee on the Judiciary

The U.S. Department of Homeland Security's Response to Ranking Member Nadler's November 27, 2018 Letter

Below is background information on the manner in which the Department of Homeland Security (DHS) approaches terrorism prevention, as well as answers to specific questions from your November 27, 2018 letter.

Background on Terrorism Prevention at DHS

Since its creation, DHS has routinely partnered with law enforcement agencies in communities across the nation. Law enforcement agencies are key partners in terrorism prevention efforts. DHS focuses on deterring individuals from radicalizing to violence, which thereby reduces the number of individuals who would commit a criminal and/or violent act in the name of violent extremism. This keeps law enforcement and the communities they serve safer. That being said, short of a reasonable belief that a crime has been committed or that a violent crime will be committed imminently, prevention activities require a strong firewall to ensure that solely participating in a prevention activity does not lead to a law enforcement investigation or intelligence collection. There are many challenges in preventing terrorism and hate crimes, chief among them is protecting individuals' constitutional freedoms. DHS activities in terrorism prevention are established in a way that prevents any purposeful breaching of that firewall. In the interest of transparency and outreach, DHS has long held that terrorism prevention activities should be openly described and discussed and that information about terrorism prevention and the Countering Violent Extremism (CVE) Grant Program on our website.¹

DHS Activities in Preventing Domestic Terrorism

The DHS Office of Terrorism Prevention Partnership (OTPP) was established on November 27, 2017 by then-DHS Acting Secretary Elaine Duke in order to actively prevent both international and domestic terrorists from radicalizing and recruiting people to violence within the United States. OTPP was created out of the staff of the former DHS Office of Community Partnerships. It maintained its essential missions of enhancing education and community awareness regarding the threat posed by ideologies that call for acts of violence, providing resources as appropriate to terrorism prevention stakeholders, coordinating relevant DHS terrorism prevention activities, working to actively counter terrorist radicalization and recruitment, and promoting early warning so that our frontline defenders can intervene to stop attacks and help prevent individuals from going down the path to violence.

In Fiscal Year (FY) 2016, the CVE Grant Program was established, which is the first and only competitive federal grant program dedicated to preventing terrorism. The solicitation made in the summer of 2016 clearly indicated that the program was looking for projects that could counter international or domestic terrorism, or both. It is important to note that the \$10 million appropriated for this initiative was not intended to fill the entire gap in capabilities to prevent and intervene in radicalization to violence or recruitment by terrorists. Instead, it serves to implement programs that can be analyzed for promising practices which might be potentially replicated in other communities. Funding was not specifically allocated against specific types of

¹ <https://www.dhs.gov/terrorism-prevention-partnerships>; <https://www.dhs.gov/cvegrants>; and <https://www.dhs.gov/cve>

extremism, and this resulted in projects that mostly focus on all forms of violent extremism rather than those driven by a single ideology. Most projects lend themselves to this approach because the individual-level drivers of extremism may be similar across all forms. Other projects, such as messaging campaigns, may need to be more narrowly tailored given that the messages they produce need to inoculate the audience against a specific ideology's propaganda. Of the projects that focus on all forms, below is a list of examples where grant award projects have specifically addressed or are prepared to address domestic terrorist ideologies:

1. All four projects within the Managing Interventions Focus Area are equipped to intervene with individuals radicalizing to violence in their respective communities. The goal of each of these programs is to identify risk factors for violence and then provide individually tailored resources to mitigate those risk factors.
2. The Denver Police Department is focused on all forms of violent extremism, but has a particular focus on domestic violent extremism (white supremacy VE, animal rights/eco-terrorism VE, sovereign citizen VE, etc.). They are working on officer training, civilian training, school-based mentoring, and outreach efforts to all of Denver's residents to share information and open connections.
3. The Illinois Criminal Justice Information Authority is developing bystander/gatekeeper training and plans to pilot the training in three sites, one of which is specifically chosen to have an impact on domestic terrorism.
4. One non-profit is working to create strong partnerships between Christian and Muslim organizations to prevent radicalization to violence from both communities.
5. Dearborn Police Department has developed three community training modules; one is focused on domestic terror threats and responding to hate crimes.
6. America Abroad Media sponsored an online messaging competition that was aimed at stopping hate speech and violence; many entrants were focused on issues that fall under domestic terrorist movements.

A second OTPP program is the deployment of field staff in localities across the United States. Field staff routinely provide awareness briefings and technical assistance to local practitioners on topics related to the domestic terrorism threat, including how to recognize and intervene with individuals radicalizing to violence. OTPP currently has two field staff positions—one each in California and Colorado. Our field staff have had tangible results. In Colorado, for example, there have been over a dozen instances where OTPP-trained local stakeholders intervened with individuals radicalizing to violent white supremacy. In at least one instance, a bystander report through a trained stakeholder led to an intervention that stopped a likely school shooting. In California, new locally-based prevention programs targeting domestic terrorism are underway in large part due to the work of our field staff.

The Homeland Security Grant Program (HSGP), managed by the Federal Emergency Management Agency (FEMA), has a program funded under its umbrella called the Non-Profit Security Grant Program (NSGP). Under the NSGP, eligible non-profit organizations are provided grants up to \$75,000.00 to make physical security improvements to their facilities to

deter or mitigate against possible terrorist attacks or hate crimes. This program is heavily used by Jewish houses of worship and community centers, which are known targets of domestic terrorists. The program is open to all faiths and secular organizations on a competitive basis, requiring a showing that there exists a threat of terrorist attack. In general, identification as a house of worship or faith-affiliated facility is sufficient proof, given the history of violent acts and other criminal targeting against houses of worship in the United States. Until FY 2018, the program was tied to the *Urban Area Security Initiative*, meaning that applicants had to be located within the boundaries of the highest risk urban areas. In the wake of the deadly attack on Emmanuel African Methodist Episcopal Church in Charleston, South Carolina, there was interest in expanding the congressionally authorized program to areas outside of major urban areas. The *Consolidated Appropriation Act Of 2018 (P.L. 115-141)* initiated that change, allocating \$50 million for facilities in major urban areas and \$10 million for facilities in other areas. Lastly, as this is a competitive program, DHS does not determine which organizations apply. Muslim organizations, despite facing a heightened threat of attack and vandalism, have historically not applied for this program despite outreach to various community and religious leaders. DHS interacts with many Muslim organizations in its work and has taken note of this gap and, through the DHS Office for Civil Rights and Civil Liberties and OTPP, DHS has undertaken efforts to inform Muslim communities about this opportunity.

Work to develop a national terrorism prevention architecture is underway and fully incorporates the threat of domestic terrorism. Significant work, however, still must be done, including capturing buy-in at all levels of government and with key non-governmental actors, properly resourcing efforts at all levels, and maintaining strong protections for civil rights and civil liberties in the process of dealing with a nuanced and complex topic. Much has been accomplished to date and we are actively evaluating our work to continue to identify promising practices that can easily scale.

One such effort is a grant to the National Governors Association (NGA) Center for Best Practices that is developing a roadmap for states to use to implement statewide approaches to preventing targeted violence. Under the grant, the Roadmap is currently being piloted by four states: Colorado, Illinois, Michigan, and Virginia. Preventing all forms of terrorism is a key element of the work in each of the pilot states, and will be part of the completed *Roadmap* that NGA and DHS envisions will be used by all states to address this pervasive threat. In general, DHS assesses that states and local communities need more intervention capabilities, and as such OTPP plans to focus its energies on awareness raising and intervention efforts by working with states to take a holistic view of their resources and enhance their own capabilities, either with their own internal resources, or with support from existing or new federal grant programs.

Additional Requests

Your letter requested substantive responses to three letters sent previously by members of the House Judiciary Committee. For the one letter addressed to DHS, from Representative Stephanie Murphy and 150 members, dated February 22, 2017, our records indicate we previously responded. However, we did not previously respond to the other two letters referenced in your correspondence, which were dated February 3, 2017 and June 7, 2017 as they were not addressed to DHS at that time. Below are comments in response to the questions raised in those letters:

- With regard to a letter dated February 3, 2017, which was not previously answered, we provide the following answer: To date, DHS has not focused prevention or CVE efforts on any specific ideological threat. Our programs and grants have always and will always strive to counter threats from all ideologies. Furthermore, DHS does not engage in profiling on the basis of religion or any other protected class as we strongly believe that such efforts are counterproductive and likely to have a deleterious effect on preventing terrorism.
- With regard to the letter dated February 22, 2017, DHS responded to the letter in significant detail on March 24, 2017. That response outlines the many activities that DHS has taken and continues to take to help protect Jewish communities. It is enclosed for your reference.
- With regard to the letter dated June 7, 2017, which was not previously answered, we recognize that DOJ and FBI have the lead for hate crime investigation and prosecution. DHS coordinates its prevention programs addressing certain forms of domestic terrorism movements with DOJ and FBI, especially community awareness briefings and engagement efforts.

Additionally, your most recent letter posed several specific questions to DHS, DOJ, and FBI. Four of the questions apply to DHS:

Question 3: With respect to the creation and dissemination of a report titled *Demographic Profile of Perpetrators of Terrorist Attacks in the United States since September 2001 Attacks Reveals Screening and Vetting Implications*, please provide us with copies of any drafts of this report, any supporting evidence for this report, and a description of any actions taken or considered related to the conclusions set forth in the report.

- (U//FOUO) The report referenced in your request was a draft containing pre-decisional, deliberative information. As noted in CBP statements for the record, it was not a final product nor did it contain a final assessment and therefore does not reflect adjudicated CBP policy. As with any draft, pre-decisional products, this draft report is covered by Executive privilege and is not available for wider distribution.

Question 4: Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security related to the recommendations set forth in the Government Accountability Office (GAO) report titled, *Countering Violent Extremism: Actions Needed to Define Strategy and Assess Progress of Federal Efforts*.

- DHS concurred with both recommendations in the report and has taken several steps to close them out with GAO. The GAO published our initial response to their report in an addendum, the 60-day letter to Congress provides an update on the progress of implementation of the recommendations, and it is enclosed for your reference.

Since then, DHS has continued to implement GAO's recommendations. For example, DHS provided significant input to the National Security Council as they drafted the National Security Strategy and the National Strategy for Counterterrorism (NSCT). As a

result, both strategies include terrorism prevention as a core principle, including domestic terrorism, in the NSCT. DHS is currently developing a new counterterrorism and terrorism prevention strategy for the Department that incorporates the lessons learned from the GAO report, the Administration's recently released strategies, and the findings of a recent RAND review of DHS terrorism prevention programs. This strategy will align our policies and programs to the two government-wide strategies released by the NSC in the last year. We expect to have the strategy completed during the first quarter of calendar year 2019.

Question 5: Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security concerning the scope of existing "Countering Violent Extremism" programs, including but not limited to efforts to re-label such programs as "Countering Islamic Extremism" or "Countering Radical Islamic Extremism."

- As reflected above, DHS has undertaken a review of countering violent extremism and, now, terrorism prevention programs and policies. At no time has DHS re-labeled these efforts or change the purpose of the efforts to focus solely on one type of ideological violence. As previously stated, we believe strongly in supporting programs that address radicalization to violence regardless of ideological drivers.

Question 6: Please describe any actions taken or considered by the Department of Justice or the Department of Homeland Security concerning the scope of the "Office of Community Partnerships," including but not limited to efforts to reduce grant funding or rename the office as the "Office of Terrorism Prevention Partnerships."

- On November 27, 2017, then-Acting Secretary Elaine Duke renamed the Office for Community Partnerships to the Office of Terrorism Prevention Partnerships. The scope of the office is similar and the budget and staff are roughly the same, though slightly reduced.² DHS has been transparent about this change, including by posting about it on its website. With regard to grant funding for terrorism prevention or CVE, Congress has only appropriated one round of grant funds in the Consolidated Appropriations Act of 2016 (P.L. 114-113). DHS requested additional grant funds in FY 2017, but did not receive them.³ DHS has not requested additional grant funding for a standalone terrorism prevention grant program in FY 2018 or FY 2019. The current round of grants have a period of performance that runs through July 2019.

² In FY 2016, OCP was appropriated \$3.1 million and was authorized for 12 Full Time Equivalent staff and 16 Full Time Positions. In FY 2018, OTPP was appropriated \$2.9 million and 12 Full Time Equivalent staff and 12 Full Time Positions. In FY 2016 OCP received an \$8.1 million reprogramming and awarded the funds on contracts in FY 2016 which had performance through the end of FY 2017. Also in FY17, OCP oversaw FEMA's award of the \$10 million in CVE Grant funds.

³ Congress allotted funding for a CVE grant program in both House and Senate versions of FY 2017 appropriations bills, but did not provide any in the final legislation. In May 2017, Congress noted in the FY 2017 Joint Explanatory Statement, "Congress has learned the [FY 2016] grants have so far been withheld from obligation. The Department is reminded of the requirements set forth in the Impoundment Control Act (ICA). . . Given the current impasse and the currently available funds, no additional funds are provided for CVE grants in this Act. The Secretary is directed to fulfill congressional intent by releasing the fiscal year 2016 funding without delay."

*Office of the Under Secretary
National Protection and Programs Directorate
U.S. Department of Homeland Security
Washington, DC 20528*



**Homeland
Security**

March 24, 2017

The Honorable Jerrold Nadler
U.S. House of Representatives
Washington, DC 20515

Dear Representative Nadler:

Thank you for your February 23, 2017, letter. Secretary Kelly asked that I respond on his behalf.

The U.S. Department of Homeland Security continues to provide support and threat notifications to assist our federal, state, local, tribal, territorial, and private sector partners to protect their communities and faith-based institutions.

As a complement to on-going law enforcement efforts to investigate specific threats, DHS is working closely with Jewish and Muslim communities to advise on and support protective measures they can put in place to help keep people in their community safe. Over the past 18 months, we have held active shooter preparedness workshops with Jewish Community Centers in San Francisco, California; Richmond, Virginia; Cherry Hill, New Jersey; and Miami, Florida with more sessions planned in Columbus, Ohio; Wilmington, North Carolina; and Philadelphia, Pennsylvania. DHS has also hosted six exercises with members of the Jewish community to enhance contingency planning and response. Further, DHS provides this specialized assistance to houses of worship, schools, and community centers upon request. DHS regularly conducts outreach to the religious and faith-based communities via in-person briefings and teleconferences to provide situational awareness of potential and emerging threats. Additionally, the Department has also worked with the Jewish Community on national exercises and active shooter training.

The Department's Protective Security Advisors (PSA) are also working to support these institutions. These advisors are security subject matter experts who engage with state, local, tribal, territorial, and private sector partners in the protection of critical infrastructure. PSAs are located across the country and provide our partners, including faith-based institutions, access to DHS-risk mitigation tools, products, and services, such as training and voluntary vulnerability assessments. PSAs, in coordination with the Secure Community Network that represents more than 765 Jewish community organizations and facilities, have conducted visits with area Jewish Federation Security Directors in numerous cities across the United States.

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The DHS National Protection and Programs Directorate (NPPD) Office of Infrastructure Protection is working with the leadership of the Secure Community Network to plan and execute a nationwide outreach initiative, using the nationwide reach of the PSAs, to make this valuable information and the relevant resources available to Jewish Community Centers across the country. On March 1, 2017, NPPD spoke with the Executive Directors of the Jewish Community Center Association of North America, who represents more than 150 community-based Jewish federations around the United States, which provide educational, cultural, social, recreational, and Jewish identity building programs. NPPD offered support from PSAs in terms of training, protective measures, exercises, and information sharing.

Additionally, on March 3, 2017, the DHS Office for Civil Rights and Civil Liberties (CRCL) activated an Incident Community Coordination Team (ICCT) call. The ICCT is a critical tool enabling rapid two-way communication between the Federal Government and communities whose civil rights may be impacted by a homeland security incident or emergency. The goal of the ICCT is to provide timely information and resources from the U.S. Government to communities across the country. The ICCT allows the U.S. Government to receive information from community leaders including:

- (1) civil rights concerns in the aftermath of an incident;
- (2) reactions or concerns to policies or actions taken by the U.S. Government; and
- (3) information about other concerns or threats that communities may have

The ICCT call was scheduled as a result of recent violent incidents, including suspected hate crimes, acts of vandalism, and bomb threats against diverse communities, with a focus on Jewish and Muslim communities, across the United States. In the past several months, CRCL has heard from an increasing number of trusted community partners who have expressed concerns and requested information and resources as a result of these incidents. A total of 365 callers from a cross section of interest-based communities, faith-based communities, and non-governmental organizations participated in the call. Speakers included senior-level officials from DHS, including members of the DHS Faith Based Advisory Committee, one of whom is also a member of the Secure Communities Network (SCN), and the U.S. Department of Justice (DOJ), including the Federal Bureau of Investigation (FBI).

In addition, through the Hometown Security Initiative (www.dhs.gov/hometownsecurity), PSAs encourage faith-based institutions and businesses to connect, plan, train, and report. Applying these four steps in advance of an incident or attack can help better prepare businesses and their employees to proactively think about the role they play in the safety and security of their businesses and communities. DHS provides free tools and resources to communities because the Department recognizes that communities are the first line of defense in keeping the public safe and secure. NPPD's Office of Infrastructure Protection also produced an Infrastructure Protection Report Series specifically designed for houses of worship. This series discusses common vulnerabilities and recommends protective measures for mitigating risks to these facilities and communities.

The Honorable Jerrold Nadler

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Furthermore, DHS produced the DHS Bomb Threat Checklist, the DHS-DOJ Bomb Threat Guidance brochure, the DHS Bomb Threat Training Video, and DHS-FBI Bomb Threat Stand-off Card to assist communities in preparing to address and reacting appropriately to bomb threats. DHS makes these resources available online at: <https://www.dhs.gov/what-to-do-bomb-threat>. DHS continues to promote the "If You See Something, Say SomethingTM" public awareness campaign that educates the public about the importance of reporting suspicious activity and has created campaign materials for a number of faith-based organizations.

The NPPD Office for Bombing Prevention (OBP) and DHS's Office of Intelligence and Analysis conducted a webinar with Secure Community Network members on January 11, 2017. During the webinar, OBP provided an overview of Bomb Threat Management guidance and principles and discussed additional resources available, including OBP's Bomb Threat Management Planning Course. Additionally, on January 24, 2017, OBP conducted its Bomb Threat Management Planning Course for members of the Cleveland Jewish Federation. Subsequently, one of the attendees from Toledo, Ohio was the recipient of a bomb threat made against her facility. She credited OBP's training and resources with ensuring a proper response. Based on this success, the Jewish Federation of Toledo scheduled additional OBP training.

OBP is working to integrate the leadership of the Secure Community Network into the agenda for the 2017 National Homeland Security Conference taking place in June in Buffalo, New York. The conference will provide a stage for the Jewish Community to share its experience with these threats and lessons learned with a broad range of security partners across the United States.

FBI is the lead investigator and is conducting on-going Civil Rights investigations regarding these threats. DHS works with FBI and our other Intelligence Community partners to monitor and analyze threats to the homeland. As such, DHS defers to FBI and DOJ for a response to your request for an update on the actions of the Federal Government in identifying and prosecuting these actors.

Thank you again for your letter. The co-signers of your letter will receive separate, identical responses. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Hess", with a long horizontal flourish extending to the right.

David A. Hess
Senior Official Performing the Duties of
the Under Secretary
National Protection and Programs Directorate



Homeland Security

June 1, 2017

Pursuant to the requirements of 31 U.S.C. Section 720, the Department of Homeland Security (DHS) is submitting this written statement on actions taken regarding the Government Accountability Office (GAO) recommendations contained in its report, GAO-17-300, "COUNTERING VIOLENT EXTREMISM: Actions Needed to Define Strategy and Assess Progress of Federal Efforts."

This letter provides a status update and is being provided to the following Members of Congress and the Director of the Office of Management and Budget (OMB):

The Honorable Michael T. McCaul
Chairman, House Committee on Homeland Security

The Honorable Bennie G. Thompson
Ranking Member, House Committee on Homeland Security

The Honorable Jason E. Chaffetz
Chairman, House Committee on Oversight and Government Reform

The Honorable Elijah E. Cummings
Ranking Member, House Committee on Oversight and Government Reform

The Honorable Ronald H. Johnson
Chairman, Senate Committee on Homeland Security and Governmental Affairs

The Honorable Claire McCaskill
Ranking Member, Senate Committee on Homeland Security and Governmental Affairs

Mr. Mick Mulvaney
Director, Office of Management and Budget

If I may be of further assistance, please contact me at (b)(6)

Respectfully,

A handwritten signature in cursive script that reads "Benjamin Cassidy".

Benjamin Cassidy
Assistant Secretary for Legislative Affairs

Pursuant to the requirements of 31 U.S.C. Section 720, DHS is submitting this written statement on actions taken regarding the GAO recommendations contained in its report, GAO-17-300, "COUNTERING VIOLENT EXTREMISM: Actions Needed to Define Strategy and Assess Progress of Federal Efforts."

The report contained two recommendations with which the Department concurred. Specifically, GAO recommended that the Secretary of Homeland Security, in conjunction with the Attorney General, direct the CVE [countering violent extremism] Task Force to:

Recommendation 1: Develop a cohesive strategy that includes measurable outcomes for CVE activities.

Original Response: Concur. DHS, in partnership with the DOJ [Department of Justice], leads domestic CVE efforts across the Federal Government through the CVE Task Force. In October 2016, the White House issued an updated SIP [Strategic Implementation Plan] that responds to the current dynamics of violent extremism and reflects experiences and knowledge acquired since the 2011 release of the national strategy and corresponding SIP. The 2016 SIP provides specific objectives and the multi-tiered actions of Federal departments and agencies to synchronize and integrate whole-of-government CVE programs and activities. The CVE Task Force and DHS recognize that additional strategic-level performance documentation will improve coordination and collaboration tasks among partner agencies; define how cross-cutting tasks will be implemented, and how they will measurably contribute to achieving the federal CVE goals. The CVE Task Force is currently developing measurable outcomes to support and guide the development of performance, effectiveness, and benchmarks for federally sponsored CVE efforts.

The CVE Task Force plans to report on the implementation progress of the 2016 SIP to the White House Homeland Security Advisor in January 2018. Estimated Completion Date (ECD): January 31, 2018.

May 2017 Update: The CVE Task Force is identifying concrete outputs and outcomes consistent with the 2016 SIP. The CVE Task Force also conducted a literature review of assessment models for analogous disciplines, which will be used to refine short-term, medium-term, and long-term outcomes. The CVE Task Force is on track to report on the implementation progress of the 2016 SIP to the White House Homeland Security Advisor in January 2018. ECD: January 31, 2018.

Recommendation 2: Establish and implement a process to assess overall progress in CVE, including its effectiveness.

Original Response: Concur. The CVE Task Force and DHS recognize that establishing a process for assessing overall strategy success will drive an understanding of the contributions of individual activities in the federal CVE effort. While the Task Force will not be engaged in specific evaluation projects of its members or partners, the Task Force will support and guide the development of measures of performance, effectiveness, and benchmarks for federally sponsored CVE efforts. To develop a set of standard guidelines for CVE measurement and evaluation, the Task Force will consult with departments and agencies that have already invested in CVE

program assessment, namely the Department of State, the U.S. Agency for International Development, the DOJ National Institute of Justice, and the DHS Science and Technology Directorate. Some of the CVE evaluation efforts undertaken by these agencies are still underway, but interim findings have been shared with the CVE Task Force regarding methodology and general areas of measurement. Based on this information, the CVE Task Force Research and Analysis team will develop and distribute summaries and resource guides to our federal and non-government partners. Overall, the long-term goal of the Task Force's engagement on CVE metrics is to develop an evidence based system in order to provide a meta-assessment of CVE programs, similar to other rigorous federal efforts to evaluate gang prevention programs or community policing initiatives.

As the current agency lead for the CVE Task Force, DHS is working with DOJ to synchronize and integrate CVE programs and activities to ensure successful implementation of this multi-agency collaborative effort.

The CVE Task Force plans to report on the implementation progress of the 2016 SIP to the White House Homeland Security Advisor in January 2018. ECD: January 31, 2018.

May 2017 Update: The CVE Task Force has begun consulting with departments and agencies that have already invested in CVE program assessment and is developing a research-based framework for designing and assessing CVE metrics. The CVE Task Force is on track to report on the implementation progress of the 2016 SIP to the White House Homeland Security Advisor in January 2018. ECD: January 31, 2018.