

The Honorable Dianne Feinstein
Chairman, U.S. Senate Select Committee on Intelligence
United States Senate
211 Hart Senate Office Building
Washington, D.C. 20510

September 26, 2011

Dear Madam Chairman:

The undersigned organizations urge you to ensure that the Counterterrorism Competitive Analysis Commission proposed as part of the Intelligence Authorization Act is removed from the final version of the bill. The commission proposed in section 310 of the House version of the Intelligence Authorization Act for Fiscal Year 2012 (H.R. 1892) would review the intelligence community's approach to the oft-asserted, yet sparsely documented presumed threat of domestic radicalization. The section threatens to divert the intelligence community's focus away from proven indicators of criminal activity and the prevention of actual violent acts.

Section 310 was added to H.R. 1892 in a floor amendment offered by Congressman Frank Wolf who has long advocated for the establishment of a so-called "Team B" to second guess the intelligence community's counterterrorism efforts. Congressman Wolf's discussion of this concept, like much of the misplaced and alarmist discourse in Congress around radicalization, has focused on Muslims and Islam, even though perpetrators of terrorism in the United States have had many religious and ethnic backgrounds. Congressman Wolf's introduction of the amendment was followed by his own equating of domestic extremism to acts committed by Muslims, without mention of other ideologically motivated acts of violence.

The Team B concept has received support from a number of commentators known for their anti-Muslim bias including the self-identified "Team B II" which issued a report last year entitled "Shariah: the Threat to America." Several recent reports revealed that similar anti-Muslim rhetoric has seeped into Federal Bureau of Investigations and Department of Homeland Security counterterrorism training programs, misleading federal, state and local law enforcement officers with inaccurate information and potentially creating a biased workforce.¹ Singling out a religious community for further scrutiny is a first step towards suppression of First Amendment-protected activities, some of which may already be taking place.²

At first glance, section 310 may only appear to establish an innocuous intelligence study. However, the proposed commission's mandate promotes a specific political agenda rooted in a flawed theory describing a path to radicalization which conflicts with empirical studies of terrorists. The theory's most basic flaw is in its assumption that radical beliefs are inextricably linked to violent terrorist action. In

¹ See, Spencer Ackerman, "FBI Teaches Agents: 'Mainstream' Muslims Are 'Violent, Radical'," WIRED, Sept. 14, 2011; and, Thomas Cincotta, "Manufacturing the Muslim Menace: Private Firms, Public Service and the Threat to Rights and Security," Political Research Associates, (2011).

² Adam Goldman and Matt Apuzzo, "Docs: NYPD eyed 250-plus mosques, student groups," ASSOCIATED PRESS, Sept. 6, 2011.

fact, the empirical studies show there is no discernable path, pattern or profile to becoming a terrorist. The commission mandate's singular focus on radical ideology as a primary driver of terrorism directly conflicts with President Barack Obama's strategy on extremist violence, which emphasizes community partnerships and the prevention of violence. The White House strategy, announced in August, rightly recognizes that casting suspicion toward an entire faith or ethnic community promotes hatred and division and may actually increase the likelihood of extremist violence.

Moreover, our country's checkered experience with the Team B concept teaches us that such competitive analysis teams can have serious consequences for our nation with high price tags. The original Team B, commissioned by President Gerald Ford in the 1970s to analyze the Soviet Union, has been widely criticized for being stacked with hardliners who came to conclusions that were, in retrospect, erroneous and that led to the adoption of expensive, misguided national security policies.

Studying and understanding a problem behavior is an important element in the effort to prevent or curtail that behavior. This is as true of violent crime and terrorism as it is of any other phenomenon. But enactment of section 310 would offer an unwarranted foothold to those who would mire our intelligence community in a focus on the adoption of belief at the expense of a more productive, fact-based approach to terrorism prevention. Such a course will not make us safer and will lead to the unjust and discriminatory targeting of an entire faith and ethnic community. We urge you to strike section 310 from the House version of the Intelligence Authorization bill for Fiscal Year 2012 (H.R. 1892).

For information or comment, please contact Devon Chaffee at 202-675-2331 or dchaffee@dcaclu.org.

Sincerely,

Alliance for Justice

American Civil Liberties Union

American-Arab Anti-Discrimination Committee

Arab American Action Network (AAAN)

Arab American Association of New York

Arab American Institute

Asian Law Caucus

Association of Muslim American Lawyers (AMAL)

Bill of Rights Defense Committee

Center for Constitutional Rights

CodePink

Council on American-Islamic Relations (CAIR)

Council on American-Islamic Relations, NY

Creating Law Enforcement Accountability & Responsibility (CLEAR) at CUNY

Defending Dissent Foundation

DRUM- Desis Rising Up & Moving

Friends Committee on National Legislation (FCNL)

Interfaith Alliance

Jews Against Islamophobia

Liberty Coalition

Muslim Advocates

Muslim American Civil Liberties Coalition (MACLC)

Muslim Consultative Network

Muslim Legal Fund of America

Muslim Progressive Traditionalist Alliance

Muslim Public Affairs Council

National Network for Arab American Communities (NNAAC)

Peace Action

Kinder USA

The Rutherford Institute

Rights Working Group

South Asian Network (SAN)

South Asian Americans Leading Together (SAALT)

United For Peace and Justice

Women Against Islamophobia and Racism (WAIR)