Countering Violent Extremism in the United States

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Summary

In August 2011, the Obama Administration announced its counter-radicalization strategy. It is devised to address the forces that influence some people living in the United States to acquire and hold radical or extremist beliefs that may eventually compel them to commit terrorism. This is the first such strategy for the federal government, which calls this effort "combating violent extremism" (CVE). Since the Al Qaeda attacks of September 11, 2001, the U.S. government has prosecuted hundreds of individuals on terrorism charges. Unlike the necessarily *secretive* law enforcement and intelligence efforts driving these investigations, the CVE strategy includes sizeable government activity within the *open marketplace of ideas*, where private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. Some of the key challenges in the implementation of the CVE strategy likely spring from the interplay between the marketplace of ideas and the secretive realm encompassing law enforcement investigations and terrorist plotting.

The strategy addresses the radicalization of all types of potential terrorists in the United States but focuses on those inspired by Al Qaeda. To further elaborate this strategy, in December 2011 the Administration released its "Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States" (SIP). The SIP is a large-scale planning document with three major objectives and numerous future activities and efforts. The SIP's three objectives involve (1) enhancing federal community engagement efforts related to CVE, (2) developing greater government and law enforcement expertise for preventing violent extremism, and (3) countering violent extremist propaganda.

This report provides examples of recent Administration CVE activity and examines some of the risks and challenges evident in the SIP's three objectives. The report also diagrams and briefly discusses the "future activities and efforts" outlined in the SIP for each of these three objectives. *A number of areas may call for oversight from Congress. These include the following:*

Picking Partners and Establishing "Rules of the Road"

Much of the federal government's CVE effort centers on engagement with Muslim American community groups. This may not be as easy as simply reaching out to local organizations. Who speaks for diverse Muslim communities in America? What criteria will the Administration employ in its selection efforts, and how open will the process be? Once approved as partners, what "rules of the road" will govern continued cooperation? Ad hoc and opaque decision making might render the whole CVE outreach process arbitrary to some community participants. Congress may opt to consider whether there is a need to require the Administration to release public guidelines in this area.

Intervention with At-Risk Individuals

There appears to be little federally driven guidance to community groups on how to intervene with people vulnerable to radicalization. Congress may desire to require the Administration to examine the utility and feasibility of developing a CVE intervention model—possibly akin to gang intervention models—for the United States.

Identifying Programs to Assist Grassroots CVE Efforts

Working with communities entails informing them of possible resources they can use. A publicly available, comprehensive list of grant programs that can be harnessed for CVE activities does not exist. Congress may be interested in asking the Administration to formalize a roster or designate a clearinghouse available to local entities to identify such programs. By possibly pursuing this, Congress may help to ensure that local constituents have better information about and more direct access to federal CVE programs. On the other hand, such a list could be perceived as an additional layer of bureaucracy between constituents and grant programs.

Countering Extremist Ideas: Choosing Good vs. Bad

The task of countering extremist ideas highlighted in the CVE strategy and SIP raises a number of questions. Do the strategy and the SIP place the federal government in the business of determining which ideologies are dangerous and which are safe—essentially determining which beliefs are good and which are bad? In order to conduct effective oversight, Congress may choose to ask the Administration to define exactly what it means when referring to "violent extremist narratives."

The Lack of a Lead Agency

There is no single agency managing all of the individual activities and efforts of the plan. At the national level, some may argue that it would be of value to have a single federal agency in charge of the government's CVE efforts. From their perspective, without a lead agency it may be difficult to monitor the levels of federal funding devoted to CVE efforts and how many personnel are devoted to CVE in the federal government. For how many of these employees is counter-radicalization a full-time job? Are there mechanisms to track federal CVE expenditure? Which federal body is responsible for this? Congress may wish to pursue with the Administration the feasibility or value of designating a lead agency, or the possibility of naming a lead via legislation. However, it is unclear what types of authority—especially in the budgetary realm—such a lead may be able to wield over well-established agencies playing central roles in the CVE strategy.

Transparency

Without a high degree of transparency, an engagement strategy driven by federal agencies charged with intelligence gathering and law enforcement responsibilities may run the risk of being perceived as an effort to co-opt communities into the security process—providing tips, leads, sources, and informants. Some may maintain that this threatens to "securitize" a relationship intended as outreach within the marketplace of ideas. As such, critics may argue that it might not be particularly effective to have the same federal agencies responsible for classified counterterrorism investigations grounded in secrecy also be the main players in the CVE strategy. However, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation have responsibilities for much of the CVE program. Because of this reality, Congress may opt to consider whether there is a need for greater transparency from the Administration in its CVE efforts.

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Introduction: Counterterrorism Context

In August 2011, the Obama Administration released its domestic counter-radicalization strategy. The Administration dubbed this effort "countering violent extremism" (CVE).[1] Implementation of the CVE strategy revolves around impeding the radicalization of violent jihadists in the United States.[2] As this may suggest, for this report, a couple of concepts are key. Namely, "radicalization" describes the process of acquiring and holding radical or extremist beliefs; and "terrorism" describes violent or illegal action taken on the basis of these radical or extremist beliefs.

This report examines the implementation of the Administration's counter-radicalization strategy and provides possible policy considerations for Congress relating to this relatively new area of coordinated federal activity. Implementation of the CVE strategy involves many elements within the executive branch and brushes against a number of key issues involving constitutionally protected activity versus effective counterterrorism policing efforts.

Government-related efforts to stave off terrorist activity in the United States exist within two broad contexts. First, the operational aspects of violent terrorist plots largely involve clandestine illegal activity. Since the terrorist attacks of September 11, 2001 (9/11), hundreds of individuals have been implicated in more than 50 homegrown violent jihadist plots or attacks.[3] In this *secretive realm,* law enforcement pursues terrorists in a real-world version of hide-and-seek. Domestic law enforcement strategies devised in the decade since 9/11 to prevent terrorism largely focus their efforts in this area.[4] Federal law enforcement activity in this arena is geared toward rooting out terrorists and stopping them from successfully executing their plots.

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[1] *Empowering Local Partners to Prevent Violent Extremism in the United States,* August 2011, p. 1, http://www.whitehouse.gov/sites/default/files/empowering_local_partners.pdf. Hereinafter: *Empowering Local Partners.*

[2] The Obama Administration recognized the significance of the homegrown jihadist threat in its June 2011 *National Strategy for Counterterrorism.* This strategy document focuses on Al Qaeda, its affiliates (groups aligned with it), and its *adherents* (individuals linked to or inspired by the terrorist group). John Brennan, President Obama's top counterterrorism advisor, publicly described the strategy as the first one, "that designates the homeland as a primary area of emphasis in our counterterrorism efforts." See White House. *National Strategy for Counterterrorism,* June 2011, http://www.whitehouse.gov/sites/default/files/counterterrorism_strategy.pdf; Mathieu Rabechault, "U.S. Refocuses on Home-Grown Terror Threat," *AFP,* June 29, 2011, http://www.google.com/hostednews/afp/article/ALeqM5hLyJyB7khhqIxWOOlm1mCj7fYsRQ?docId=CNG.3f90005700ea65e0b05509a135c7a3a8.471; Karen DeYoung, "Brennan: Counterterrorism Strategy Focused on al-Qaeda's Threat to Homeland," *Washington Post,* June 29, 2011, http://www.washingtonpost.com/national/national-security/brennan-counterterrorism-strategy-focused-on-al-qaedas-threat-to-homeland/2011/06/29/AGki1LrH_story.html.

[3] See CRS Report R41416, *American Jihadist Terrorism: Combating a Complex Threat,* by Jerome P. Bjelopera. For lists of individuals involved in terrorism cases see http://homegrown.newamerica.net/table; "Profiles in Terror," http://motherjones.com/fbi-terrorist. For this CRS report, "homegrown" describes terrorist activity or plots perpetrated within the United States or abroad by American citizens, legal permanent residents, or visitors radicalized largely within the United States. "Jihadist" describes radicalized Muslims using Islam as an ideological and/or religious justification for belief in the establishment of a global caliphate—a jurisdiction governed by a Muslim civil and religious leader known as a caliph—via violent means. Jihadists largely adhere to a variant of Salafi Islam—the fundamentalist belief that society should be governed by Islamic law based on the Quran and follow the model of the immediate followers and companions of the Prophet Muhammad. For more on Al Qaeda's global network, see CRS Report R41070, *Al Qaeda and Affiliates: Historical Perspective, Global Presence, and Implications for U.S. Policy,* coordinated by John Rollins.

[4] For more information on federal counterterrorism law enforcement, see CRS Report R41780, *The Federal Bureau of Investigation and Terrorism Investigations,* by Jerome P. Bjelopera.

The second context is the open *marketplace of ideas.* Here, private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. In this arena, a relative few ordinary law-abiding persons move from the mainstream and adopt radical ideologies that embrace terrorism. As they radicalize, *they do not necessarily commit crimes.* Much like the policing that occurs in the secretive realm, the federal government's CVE strategy is a preventative approach to terrorism, *but it is not wholly focused on policing.* Rather, federal activity in this arena is geared toward helping local communities and individuals boost their resilience to terrorist radicalization efforts.

The divergent nature of these two contexts may imply clear distinction between the marketplace of ideas and the secretive operational realm. In reality, they are far from distinct. What happens operationally has significant impacts in the marketplace of ideas (**Figure 1**). This interrelationship is highlighted by any number of issues. For example,

- the success of terrorist plots in the secretive realm may spur radicalization and generate public fear in the marketplace of ideas;
- conversely, successful investigations in the secretive realm may discourage radicalizing individuals within the marketplace of ideas from eventually embracing violent acts of terrorism as an ultimate goal;
- effective policing within the secretive realm may depend on a trusting community acting supportively in the marketplace of ideas;
- perceived policing excesses in the secretive realm may impede community engagement with law enforcement; and
- high levels of radicalization occurring in the marketplace of ideas may expand the potential pool of terrorist recruits, while an effective government strategy to counter radicalization may staunch terrorist recruitment.

Figure 1. Counterterrorism Context

Source: CRS.

In fact, some of the key challenges involved in implementing a national strategy to deal with terrorist radicalization spring from the interplay between the marketplace of ideas and the secretive realm.

From Radicalization to Terrorism

A key way to fight the threat of homegrown terrorists is to develop an understanding of how radicalization works and formulate ways to prevent radicalization from morphing into terrorist plotting. In 2007, the New York City Police Department's (NYPD's) Intelligence Division released a study of domestic jihadist radicalization that has been widely circulated within the law enforcement community.

The NYPD study describes a general four-step process of radicalization leading to terrorist plotting. First, individuals exist in a pre-radicalization phase in which they lead lives unaware of or uninterested in either violent jihad or fundamentalist Salafi Islam. Next, they go through self-identification in which some sort of crisis or trigger (job loss, social alienation, death of a family member, international conflict) urges them to explore Salafism. Third, individuals undergo indoctrination or adoption of jihadist ideals combined with Salafi views. The study indicates that, typically, a "spiritual sanctioner" or charismatic figure plays a central role in the indoctrination process. Finally, radicalizing individuals go through "jihadization," where they identify themselves as violent jihadists, and are drawn into the planning of a terrorist attack.[5] At this point, according to the NYPD, they can be considered violent extremists (terrorists). The Federal Bureau of Investigation's (FBI's) own four-stage model of radicalization closely follows that of the NYPD.[6]

This model and the process it describes—though useful—should, however, be read with caution, according to some observers. The radicalization process is best depicted in broad brush strokes. Brian Michael Jenkins has suggested that

> There is no easily identifiable terrorist-prone personality, no single path to radicalization and terrorism. Many people may share the same views, and only a handful of the radicals will go further to become terrorists. The transition from radical to terrorist is often a matter of happenstance. It depends on whom one meets and probably on when that meeting occurs in the arc of one's life.[7]

Some experts have warned against viewing the radicalization process as a "conveyer belt," somehow starting with grievances and inevitably ending in violence.[8] The NYPD report itself acknowledges that individuals who begin this process do not necessarily pass through all the stages nor do they necessarily follow all the steps in order, and not all individuals or groups who

[5] Mitchell D. Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat*, City of New York Police Department, Intelligence Division, New York, 2007, pp. 6-8, http://sethgodin.typepad.com/seths_blog/files/NYPD_Report-Radicalization_in_the_West.pdf. Hereinafter: Silber and Bhatt, *Radicalization in the West*.

[6] Carol Dyer, Ryan E. McCoy, Joel Rodriguez, et al., "Countering Violent Islamic Extremism: A Community Responsibility," *FBI Law Enforcement Bulletin*, December 2007, p. 6.

[7] Brian Michael Jenkins, *Would Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States Since September 11, 2001* (Santa Monica, CA: The RAND Corporation, 2010), p. 7.

[8] Sophia Moskalenko and Clark McCauley, "Measuring Political Mobilization: The Distinction Between Activism and Radicalism," *Terrorism and Political Violence*, vol. 21, no. 2 (April 2009), pp. 239-240.

begin this progression become terrorists.[9] Studies by the Department of Homeland Security's (DHS's) Office of Intelligence and Analysis indicate that the radicalization dynamic varies across ideological and ethno-religious spectrums, different geographic regions, and socioeconomic conditions. Moreover, there are many diverse "pathways" to radicalization and individuals and groups can radicalize or "de-radicalize" because of a variety of factors.[10]

In a more fundamental conceptualization, radicalization expert Peter Neumann has noted that three core elements exist in the radicalization process. These are grievance, ideology/narrative, and mobilization.[11] Grievances can stem from narrow issues unique to an individual's personal life or arise from broader perceptions of the surrounding world. A radicalizing individual seizes upon extremist ideologies or narratives to help explain his or her grievance. Mobilization consists of an individual acting on his or her grievances based on precepts culled from a particular ideology or narrative. These actions can involve criminality.[12]

Countering Radicalization in the United States

Because so much of the radicalization process occurs within the marketplace of ideas, counter-radicalization efforts involve activity in the same realm. American counter-radicalization approaches favor government engagement with communities affected by terrorism. Scholars who have studied the circumstances that are associated with voluntary cooperation by Muslim-Americans in anti-terror policing efforts have identified strong evidence that when authorities are viewed as more legitimate, their rules and decisions are more likely to be accepted.[13] Community engagement is—in part—an effort to make law enforcement authority more accepted within localities.

Administration Strategy and Current Activities

The Administration's CVE strategy revolves around countering the radicalization of all types of potential terrorists. As such, the radicalization of violent jihadists falls under its purview and is the key focus. The initial August 2011 strategy was supported by the Administration's release in December 2011 of its "Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States" (SIP).[14] The SIP is a large-scale planning document with three major objectives and numerous future activities and efforts. There is no single lead agency

[9] Silber and Bhatt, *Radicalization in the West*, pp. 10, 19.

[10] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, Written Testimony of Charles E. Allen, Assistant Secretary of Intelligence and Analysis and Chief Intelligence Officer, Department of Homeland Security, "Threat of Islamic Radicalization to the Homeland," 110th Cong., 1st sess., March 14, 2007, p. 5.

[11] Ryan Hunter and Danielle Heinke, "Radicalization of Islamist Terrorists in the Western World," *FBI Law Enforcement Bulletin*, (September 2011), pp. 27-29. http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin/september-2011. Hunter and Heinke rely on the ideas of scholar Peter Neumann.

[12] Ibid.

[13] Tom R. Tyler, Stephen Schulhofer, and Aziz Huq, "Legitimacy and Deterrence Effects in Counter-Terrorism Policing," New York University School of Law, Public Law Research Paper No. 10-15, February 23, 2010, p. 2, http://lsr.nellco.org/cgi/viewcontent.cgi?article=1182&context=nyu_pltwp.

[14] *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, December 2011, http://www.whitehouse.gov/sites/default/files/sip-final.pdf. Hereinafter: *Strategic Implementation Plan*.

for any of the three objectives. Likewise, there is no single agency managing all of the individual future activities and efforts of the plan. The SIP's three objectives or "core areas of activity" are "(1) enhancing engagement with and support to local communities that may be targeted by violent extremists; (2) building government and law enforcement expertise for preventing violent extremism; and (3) countering violent extremist propaganda while promoting our [U.S.] ideals."[15]

The following sections provide examples of recent Administration CVE activity and discussion of the risks and challenges evident in the SIP's three core areas of activity. The "future activities and efforts" outlined for each of the three core areas of activity in the SIP are also diagramed and briefly discussed below.

Community Engagement

The concept of building trust through engagement and partnership is rooted in the community policing model developed by law enforcement professionals in the 1990s, and community policing is mentioned in the Administration's CVE strategy.[16] Following the 9/11 attacks, law enforcement agencies came to realize the prevention of terrorist attacks would require the cooperation and assistance of American Muslim, Arab, and Sikh communities. "Embedded within these communities," notes Professor Deborah Ramirez, "are the linguistic skills, information, and cultural insights necessary to assist law enforcement in its efforts to identify suspicious behavior. In order to have access to these critical tools and information, law enforcement recognized the need to build bridges required for effective communication with these groups."[17] At the same time, Muslim, Arab, and Sikh Americans recognized the need to define themselves as distinctly American communities who, like all Americans, desire to help prevent another terrorist attack.[18]

A study by the Homeland Security Institute found that "[c]ommunity policing has been applied with notable success in places such as New York City, Chicago, Boston, and San Diego, and has been widely adopted (at least in name) throughout the United States."[19] A Homeland Security

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[15] Ibid., p. 2.

[16] Ibid., pp. 3, 6. The Justice Department has defined community policing as "a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." One of its key features is the establishment of collaborative partnerships between law enforcement agencies and individuals and organizations they serve to develop solutions to problems and increase trust in police. See DOJ Office of Community Oriented Policing Services, *Community Policing Defined*. April 3, 2009, p. 3, http://www.cops.usdoj.gov/files/RIC/Publications/e030917193-CP-Defined.pdf.

[17] Deborah A. Ramirez, Sasha Cohen O'Connell, and Rabia Zafar, The Partnering for Prevention and Community Safety Initiative, *A Promising Practices Guide Executive Summary*, 2004, p. 2, http://www.cps.neu.edu/pfp/downloads/PFP_Executive_Summary__cover.pdf.

[18] Ibid.

[19] Rosemary Lark (Task Lead), Richard Rowe, and John Markey, *Community Policing Within Muslim Communities: An Overview and Annotated Bibliography of Open-Source Literature*. Homeland Security Institute, December 27, 2006, p. iii. This study, prepared for the DHS Science and Technology Directorate, sought to identify the literature that examined community policing initiatives underway within Muslim Communities in the U.S., and the extent to which they were successful in achieving the objectives of (1) inclusiveness, promoting integration, and potentially minimizing the disaffection that can lead to radicalization, particularly among Muslim youth; (2) serving as early warning to identifying incipient radicalization or terrorist activities; and (3) opening a new channel of communication with individuals who can navigate the linguistic and cultural complexities of Islam, providing needed context to inform intelligence analysis, http://www.homelandsecurity.org/hsireports/Task_06-99 Community Policing within Muslim Communities.pdf.

Advisory Council (HSAC) working group[20] chaired by Maryland Governor Martin O'Malley commented on Community-Oriented Policing, stating that

> Effective public-private partnerships, designed to enable civic engagement, problem-solving, and violent crime mitigation provide the foundation for efforts to prevent, protect against and respond to violent criminal activity—including that which may be motivated by ideological objectives.[21]

The Administration's CVE strategy depends on federal agencies cooperating with local groups to expand engagement efforts and to foster preventative programming "to build resilience against violent extremist radicalization."[22] In fact, it highlights a "community-based approach" for the federal government, and much of the activity it describes will take place in the "marketplace of ideas" described in **Figure 1**. To this end, the federal government most effectively acts as a "facilitator, convener, and source of information."[23] Since November 2010, a national task force led by DOJ and DHS has helped coordinate CVE-related community engagement from the national perspective. It works with U.S. Attorneys, DHS's Office for Civil Rights and Civil Liberties (CRCL), the Department of State, and DOJ, among others.[24]

Role of U.S. Attorneys

Under the Administration's CVE strategy, U.S. Attorneys play a key role in community engagement within their jurisdictions.[25] U.S. Attorneys are "the nation's principal litigators under the direction of the Attorney General."[26] Attorney General Eric Holder has pushed the U.S. Attorneys to enhance their outreach efforts to Muslim, Sikh, and Arab American communities.[27] Within their districts across the country, U.S. Attorneys have met with Muslim communities regarding specific situations and trends.[28] In December 2010, DOJ began a pilot program involving U.S. Attorneys in community outreach efforts. This program did not specifically focus on CVE efforts but has included radicalization-related outreach.[29] For example, in September

[20] HSAC provides advice and recommendations to the Secretary of Homeland Security. The chair of the council is Judge William Webster, former Director of the CIA and Director of the FBI. Other members include leaders from state and local government, first responder communities, the private sector, and academia. The Countering Violent Extremism Working Group originated from a tasking by Secretary Napolitano to the HSAC in February 2010 to work with state and local law enforcement and relevant community groups to develop and provide recommendations on how DHS can better support community-based efforts to combat violent extremism domestically. See Homeland Security Advisory Council, Countering Violent Extremism Working Group, Spring 2010, p. 2. Hereinafter: HSAC CVE Working Group, Spring 2010.

[21] HSAC CVE Working Group, Spring 2010, p. 5.

[22] *Strategic Implementation Plan*, p. 10.

[23] *Empowering Local Partners*, p. 3.

[24] *Strategic Implementation Plan*, p. 9

[25] Ibid., p. 8.

[26] DOJ, "United States Attorneys' Mission Statement," http://www.justice.gov/usao/about/mission.html.

[27] DOJ, "Arab and Muslim Engagement: U.S. Attorneys' Outreach Efforts," http://www.justice.gov/usao/briefing_room/crt/engagement.html. Hereinafter: DOJ, "Arab and Muslim."

[28] DOJ, *Ten Years Later: The Justice Department After 9/11, Partnering with the Muslim, Arab, and Sikh Communities*, http://www.justice.gov/911/partnerships.html. Hereinafter: DOJ, *Ten Years Later*.

[29] *Strategic Implementation Plan*, p. 8.

2011, the U.S. Attorney for the District of Oregon and Attorney General Holder met with Arab and Muslim community representatives in Portland, OR.[30]

Comparable outreach has been pursued by other U.S. Attorneys. The District of Minnesota has established the Young Somali-American Advisory Council. This responded to al-Shabaab's[31] recruitment of young men within the greater Minneapolis-St. Paul, MN, Somali community.[32] The council includes more than a dozen people between the ages of 18 and 30. Among the outreach activities tied to the council, the U.S. Attorney's office instructed council members on civics issues. In a similar vein, the U.S. Attorney for the Southern District of Florida and Assistant Attorney General Thomas E. Perez met with Muslim and Arab leaders in Miami in February 2011.[33] Likewise, in November 2010, an alleged jihadist terrorist plotter was arrested for purportedly attempting to bomb a Christmas tree lighting ceremony in Portland. In the plot's wake, the state's U.S. Attorney repeatedly met with local Muslim leaders.[34]

Other Federal Activities

Currently, aside from the special role given to U.S. Attorneys, other elements of DOJ and additional U.S. government agencies engage and partner with Muslim American communities. Some of these efforts by DHS, DOJ, and FBI are detailed below.

Department of Homeland Security

DHS has stated that public outreach to local communities plays a major role in the department's mission.[35] Engagement activities are centered in the Office for Civil Rights and Civil Liberties (CRCL), which began its outreach in 2003.[36] Its work involves counterterrorism and CVE-related matters, but its overall mission is broader. The office is also responsible for[37]

- advising DHS leadership, personnel, and partners about civil rights and civil liberties issues;

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[30] DOJ, "Attorney General Holder Meets with Muslim Leaders in Portland," September 30, 2011, http://blogs.usdoj.gov/blog/archives/1617?print=1. Hereinafter: DOJ, "Attorney General Holder Meets."

[31] A terrorist group in Somalia.

[32] B. Todd Jones, U.S. Attorney for the District of Minnesota. "Arab and Muslim Engagement: Countering Violent Extremism through Community-Based Approaches," http://www.justice.gov/usao/mn/oped.html; Laura Yuen, "Years After Somali Men Left Minn., Youth Decry Extremism," Minnesota Public Radio, November 8, 2011, http://minnesota.publicradio.org/display/web/2011/11/08/young-minnesota-somalis-decry-extremism/.

[33] DOJ, "Arab and Muslim."

[34] Peter Neumann, *Preventing Violent Radicalization in America*, Bipartisan Policy Center, (June 2011), p. 37 http://www.bipartisanpolicy.org/sites/default/files/NSPG.pdf. Hereinafter: Neumann, *Preventing Violent Radicalization*.

[35] CRCL, "Engagement with Key Communities Team," August 14, 2009. Hereinafter: CRCL Engagement Team, August 14, 2009.

[36] CRCL, *Newsletter*, vol. 2, no. 1 (September 2011), http://www.aila.org/content/default.aspx?docid=36956. Hereinafter: CRCL, *Newsletter*, September 2011.

[37] The mission of the DHS Officer for Civil Rights and Civil Liberties is outlined in 6 U.S.C. 345, http://www.dhs.gov/xabout/structure/editorial_0481.shtm. See DHS, Office of Civil Rights and Civil Liberties, http://www.dhs.gov/xabout/structure/crcl.shtm.

- communicating with individuals and communities whose civil rights and civil liberties may be affected by DHS activities, informing them about policies and avenues of redress, and promoting appropriate attention within DHS to their experiences and concerns; and
- investigating and resolving civil rights and civil liberties complaints filed by the public.

CRCL has a Community Engagement Section. Recent domestic CVE-related[38] outreach events have been coordinated by CRCL and its Community Engagement Section.[39]

Department of Justice

In addition to the CVE role played by U.S. Attorneys, DOJ's engagement activities largely appear to come from the Civil Rights Division and the Community Relations Service.[40] According to its website, since the terrorist attacks of September 11, 2001 (9/11), the Civil Rights Division of DOJ has prioritized prosecution of bias crimes and discrimination against Muslims, Sikhs, and persons of Arab and South-Asian descent, as well as individuals perceived to be members of these groups. These types of incidents are commonly referred to as "backlash." The division has also educated people in these communities about their rights and available government services.[41] Senior Civil Rights Division officials have met with Muslim, Sikh, Arab, and South Asian community leaders regarding backlash discrimination issues. Like the Civil Rights Division, DOJ's Community Relations Service is involved in outreach. Since 9/11, the service has held meetings around the country to address backlash-related issues.[42]

Federal Bureau of Investigation

The FBI has publicly suggested that since 9/11, it has been formulating an "extensive program" to bolster its relationship with Arab, Muslim, Sikh, and South Asian communities in the United

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[38] Much like CRCL, the Section's mission involves more than CVE. It reaches out to other communities whose issues are not necessarily tied to radicalization.

[39] CRCL, *Fiscal Year 2010 Annual and Consolidated Quarterly Reports to Congress*, September 20, 2011, pp. 14-15, http://www.dhs.gov/xlibrary/assets/crcl-annual-report-fy-2010.pdf; CRCL Engagement Team, August 14, 2009. DHS also provides law enforcement training related to CVE in the United States. With DOJ, DHS has instructed more than 46,000 "front line officers" on suspicious activity reporting. As of September 2011, CRCL taught over 2,000 law enforcement officials in the area of CVE. CRCL CVE training highlights topics such as understanding violent radicalization, cultural awareness, and community engagement. The training was developed "in response to concerns from attendees at community roundtables." See DHS, Fact Sheet, "The Department of Homeland Security's Approach to Countering Violent Extremism," http://www.dhs.gov/files/fact-sheet-approach-to-countering-violent-extremism.pdf DHS. Hereinafter: DHS, Fact Sheet. See also: CRCL, *Newsletter*, vol. 1, no. 8 (June 2011), http://www.aila.org/content/default.aspx?docid=36057.

[40] DOJ, "Attorney General Holder Meets."

[41] Civil Rights Division, "Initiative to Combat Post-9/11 Discriminatory Backlash," http://www.justice.gov/crt/legalinfo/discrimupdate.php. Hereinafter: Civil Rights Division, "Initiative."

[42] Ibid.; Community Relations Service, *America's Peacemaker, Community Relations Service, U.S. Department of Justice, Annual Report, Fiscal Year 2010*, http://www.justice.gov/crs/pubs/annualreport2010.pdf; DOJ, *Ten Years Later;* Civil Rights Division, "Initiative." See Ondray T. Harris, Director, DOJ Community Relations Service, "Creating Positive Perception of Sikh Identity in the U.S. Public," speech at the 2nd Global Sikh Civil Rights Conference in Toronto, Canada, December 19, 2009, http://www.justice.gov/crs/united-sikhs.pdf.

States.[43] In March 2010, the chief of the Community Relations Unit of the FBI's Office of Public Affairs testified to Congress that the primary purpose of the agency's outreach program was "to enhance public trust and confidence in the FBI."[44] This involves fostering a positive image of law enforcement among U.S. organizations that have condemned terrorism and violent radicalization. The FBI relies on programs at the field office level to foster interaction with a wide variety of local groups.[45] Also, some FBI field offices have formally interacted with local Muslim communities regarding specific cases.[46] At the national level, FBI headquarters representatives have engaged in liaison with Arab and Muslim American advocacy groups and have regular issue-focused conference calls with community leaders.[47] The FBI is also a member of the Incident Coordination Communications Team managed by DHS CRCL.

Risks and Challenges

Although there is considerable support among public officials for community engagement, some experts warn of significant challenges in the development of programs that foster substantive relationships rather than token discussions or community relations events. A study of policing in Arab American communities sponsored by the National Institute of Justice, for example, highlighted four key obstacles hindering outreach between U.S. Arabs (Christian and Muslim) and law enforcement: "Distrust between Arab communities and law enforcement, lack of cultural awareness among law enforcement officers, language barriers, and concerns about immigration status and fears of deportation."[48]

Terrorism expert Marc Sageman cautions that engagement can be a sign of government focus on Muslim communities when instead it should be stressed that Muslims are Americans just like everyone else.[49] He sees another challenge arise when engagement on the government side is led by federal agencies with law enforcement and intelligence responsibilities. "It can send the message that we are only interested in Muslims because they are potential law breakers. No other foreign or religious communities in the United States get this type of scrutiny."[50]

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[43] Scott Atran, *Senate Armed Services Subcommittee on Emerging Threats and Capabilities: Countering Violent Extremism: Statement for the Record, Addendum-2,* 111th Cong., 2nd sess., March 10, 2010, http://armed-services.senate.gov/statemnt/2010/03%20March/Atran%2003-10-10.pdf. Hereinafter: Atran Testimony, March 10, 2010.

[44] Brett Hovington, *House Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment: Working with Communities to Disrupt Terror Plots: Statement for the Record*, 111th Cong., 2nd sess., March 17, 2010, http://homeland.house.gov/SiteDocuments/20100317103507-03554.pdf. Hereinafter: Hovington Testimony, March 17, 2010.

[45] Hovington Testimony, March 17, 2010. See also: FBI, "Building Trust: The Arab, Muslim, and Sikh Advisory Council," June 1, 2009, http://washingtondc.fbi.gov/trust060109.htm.

[46] Hovington Testimony, March 17, 2010.

[47] Atran Testimony, March 10, 2010.

[48] Nicole J. Henderson et al., *Policing in Arab-American Communities After September 11*, National Institute of Justice, Washington, DC, July 2008, p. ii. For the full study, see Nicole J. Henderson et al., *Law Enforcement and Arab American Community Relations After September 11, 2001: Engagement in a Time of Uncertainty*, Vera Institute of Justice, New York, NY, June 2006, http://www.vera.org/policerelations. As its title clearly suggests, this project examined the experiences of Arab-Americans, two thirds of whom are Christian.

[49] Discussion with CRS, April 7, 2010. Sageman is an independent researcher on terrorism, founder of Sageman Consulting, LLC, and author of *Leaderless Jihad: Terror Networks in the Twenty-First Century* (University of Pennsylvania Press, 2008).

[50] Ibid.

Outreach may be most effective when U.S. Muslim communities initiate it and community-government contact revolves around countering the extremist messages popular among violent jihadists.[51] Marc Sageman also suggests it would be more appropriate for local authorities, such as a mayor's office, to perform the engagement role because they know these communities better than federal officials.

The Tension Between Enforcement and Engagement Activities

An inherent challenge to building trust and partnership involves law enforcement investigative activities and tactics that can be perceived to unfairly target law-abiding citizens or infringe on speech, religion, assembly, or due process rights. This challenge highlights how government counterterrorism work in the secretive operational realm depicted in **Figure 1** can influence engagement conducted in the open marketplace of ideas. If a community views government counterterrorism investigative activity as overly aggressive, it may not willingly cooperate in engagement programs. One expert has noted that "counter-radicalization is not about intelligence-gathering nor is it primarily about policing."[52] The HSAC Countering Violent Extremism Working Group found that

> There can be tension between those involved in law enforcement investigations and those collaborating to establish local partnerships to stop violent crime. Community policing can be impeded if other enforcement tactics are perceived as conflicting with community partnership efforts.[53]

This challenge is evident in some public discussions of law enforcement surveillance activities and efforts to recruit and manage informants. Revelations that the NYPD engaged in surveillance of mosques, Muslim businesses, and Muslim college students in New Jersey and elsewhere in 2006 and 2007 have prompted concern among a number of community groups and civil libertarians.[54] The FBI's top official in New Jersey suggested that such activities undermined the bureau's efforts at community engagement.[55] While New York City Mayor Michael Bloomberg and others defended the legality of such activities, some New Jersey officials have complained that the NYPD had not effectively coordinated efforts with them.[56] Other former law enforcement officials in New Jersey believed that appropriate cooperation occurred.[57] Also, as announced in May 2012, a fact-finding review conducted by New Jersey's Office of the Attorney General "revealed no evidence … that NYPD's activities in the state violated New Jersey civil or criminal laws."[58]

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[51] Gartenstein-Ross and Grossman, *Homegrown Terrorists in the U.S. and U.K*, p. 60.

[52] Neumann, *Preventing Violent Radicalization.*, p. 19.

[53] HSAC CVE Working Group, Spring 2010, p 6.

[54] Samantha Henry, "NJ Muslims, Officials Discuss NYPD Surveillance," *Associated Press*, March 3, 2012. Hereinafter: Henry "NJ Muslims, Officials." Chris Hawley, NYPD Monitored Muslim Students All Over Northeast," *Associated Press*, February 18, 2012.

[55] Samantha Henry, "NJ FBI Says NYPD Monitoring Damaged Muslims' Trust," *Associated Press*, March 8, 2012.

[56] Henry, "NJ Muslims, Officials;" Jason Grant, "Recent NYPD Spying Uproar Shakes FBI's Foundations in N.J. Terror Intelligence," *Star-Ledger*, March 7, 2012, http://www.nj.com/news/index.ssf/2012/03/recent_nypd_spying_uproar_shak.html.

[57] Christopher Baxter, "Secret NYPD Surveillance in N.J. Was Not So Secret, Former Officials Say," *Star-Ledger*, March 6, 2012, http://www.nj.com/news/index.ssf/2012/03/secret_nypd_surveillance_in_nj.html.

[58] New Jersey Office of the Attorney General, press release, "Office of the Attorney General Takes Steps to Address (continued...)

In pursuing a community engagement strategy, the use of informants can be a controversial issue, especially when law enforcement officials rely on informants with criminal records who may be working on behalf of authorities in exchange for reduced jail time. One Muslim community leader who has published widely on domestic terrorism states that "many Muslim Americans fear that paid FBI informants specifically target impressionable youth and that law enforcement agents coerce community members to become informants themselves to avoid complications with immigration procedures."[59] Confidential informants have been used in post-9/11 violent jihadist cases occurring in the United States. In some of those cases, the informants had criminal histories. The use of informants poses the following risks:

> Informants do not merely observe and collect data. They make things happen.... Informants can cause confusion and dissatisfaction among members of groups and communities they infiltrate, discrediting leaders, and fostering factionalism as people wonder if any of their colleagues are spies. Their handlers' structure of incentives—raises, promotions, transfers, financial rewards, waived jail time—creates a system where informants consciously or subconsciously create and then destroy terrorist threats that would not otherwise exist. These pressures can push them from passive observer to aggressive actor, with serious consequences for constitutionally protected free speech. Another unplanned result: government loses legitimacy and support in the eyes of targeted communities, if they feel they have been manipulated.[60]

Acknowledging the challenge, FBI Director Robert Mueller said in 2009, "Oftentimes, the communities from which we need the most help are those who trust us the least. But it is in these communities that we ... must redouble our efforts."[61] Also in 2009, then-FBI spokesman John

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Out-of-State Law Enforcement Activity in New Jersey Following Fact-Finding Review," May 24, 2012, http://www.nj.gov/oag/newsreleases12/pr20120524b.html.

[59] Alejandro J. Beutel, "Muslim Americans and U.S. Law Enforcement: Not Enemies, But Vital Partners," *The Christian Science Monitor*, December 30, 2009, http://www.csmonitor.com/Commentary/Opinion/2009/1230/Muslim-Americans-and-US-law-enforcement-not-enemies-but-vital-partners. For more information on controversies surrounding informants, see Peter Finn, "Documents Provide Rare Insight Into FBI's Terrorism Stings, *Washington Post*, April 13, 2012, http://www.washingtonpost.com/world/national-security/documents-provide-rare-insight-into-fbis-terrorism-stings/2012/04/13/gIQASJ6CGT_story.html; Jerry Markon, "Lawsuit Alleges FBI Violated Muslims' Freedom of Religion," *Washington Post*, February 22, 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/22/AR2011022206975.html; Jerry Markon, "Mosque Infiltration Feeds Muslims' Distrust of FBI," *Washington Post*, December 5, 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/12/04/AR2010120403720.html; Salvador Hernandez, "Release Terms Eased for Man Accused of Lying About Alleged Terrorist Ties," *The Orange County Register*, June 11, 2010, http://www.ocregister.com/articles/niazi-252994-fbi-case.html?pic=1; Trevor Aronson, "FBI Tries to Deport Muslim Man for Refusing to be an Informant," *miaminewtimes.com*, Oct 8, 2009, http://www.miaminewtimes.com/2009-10-08/news/unholy-war-fbi-tries-to-deport-north-miami-beach-imam-foad-farahi-for-refusing-to-be-an-informant/; "FBI Creates Climate of Fear," *Orange County Register*, Editorial, March 22, 2009, http://www.ocregister.com/articles/fbi-18893-ocprint-fear-.html; Teresa Watanabe and Paloma Esquivel, "L.A. Area Muslims Say FBI Surveillance Has a Chilling Effect on Their Free Speech and Religious Practices," *Los Angeles Times*, March 1, 2009, http://articles.latimes.com/2009/mar/01/local/me-muslim1. Hereinafter: Watanabe and Esquivel, March 1, 2009. Thomas Cincotta, "From Movements to Mosques, Informants Endanger Democracy," *The Public Eye*, summer 2009, http://www.publiceye.org/magazine/v24n2/movements-to-mosques.html. Hereinafter: Cincotta, "From Movements to Mosques." Lee Romney, "Immigrant Says FBI Tried Threats to Make Him Spy," *Los Angeles Times*, August 12, 2006; http://www.chron.com/disp/story.mpl/front/4112103.html. Peter Waldman, "A Muslim's Choice: Turn U.S. Informant or Risk Losing Visa," *Wall Street Journal*, July 11, 2006, http://www.legalsanctuary.org/doc/article13970.pdf.

[60] Cincotta, "From Movements to Mosques."

[61] Quoted in Matthai Kuruvila, "U.S. Muslims Debate How Much to Help FBI," *San Francisco Chronicle*, April 6, 2009, http://articles.sfgate.com/2009-04-06/news/17193854_1_american-muslim-taskforce-muslim-community-(continued...)

Miller said the agency values its relationships with Muslims and has worked hard on outreach efforts that range from town hall meetings to diversity training for FBI agents.[62] Miller said there is no factual basis for claims the FBI infiltrates mosques or conducts blanket surveillance of Muslim leaders. "Based on information of a threat of violence or a crime, we investigate individuals, and those investigations may take us to the places those individuals go."[63]

Former FBI agents and federal prosecutors note that informants are "still one of the government's best weapons to thwart terrorists and that the benefit to national security is likely to far outweigh any embarrassment to the agency." They claim that "although the law places almost no constraints on the use of informants, the agency takes sending an informant into a mosque very seriously and imposes a higher threshold for such requests."[64] Former FBI counterterrorism Chief Robert Blitzer states that "what matters to the FBI is preventing a massive attack that might be planned by some people ... using the mosque or church as a shield because they believe they're safe there. That is what the American people want the FBI to do. They don't want some type of attack happening on U.S. soil because the FBI didn't act on information."[65]

Maher Hathout from the Muslim Public Affairs Council counters by saying that "people cannot be suspects and partners at the same time. Unless the FBI's style changes, the partnership with the Muslim community will not be fruitful."[66] The HSAC's CVE Working Group also cautions that "Law enforcement should be sensitive to the fact that perceptions regarding enforcement actions and intelligence gathering can impact community-oriented policing goals."[67] In considering the tradeoff between security and liberty, policy makers face a choice in those cases where an investigative tactic might inflame members of a particular community: Is the impact of that tactic counterproductive in the long run, or is it necessary, short-term collateral damage?

U.S. Attorneys as Brokers

As mentioned elsewhere in this report, DOJ has pushed the U.S. Attorneys to become larger players in community outreach. This suggests a critical question: is it appropriate to have the nation's principal litigators be key players in the federal government's CVE outreach efforts? Can the same people responsible for prosecuting terrorism cases effectively broker trust among community members who may be wary of federal law enforcement? Maintaining the integrity of

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american-islamic-relations.

[62] Quoted in Samantha Henry, "Some Muslims Rethink Close Ties to Law Enforcement," *Associated Press*, May 4, 2009, http://www.breitbart.com/article.php?id D97VH09O0&show_article 1.

[63] Ibid. In March 2012, the American Civil Liberties Union (ACLU) asserted that the FBI had used outreach efforts at mosques in California to gather intelligence. Much of the outreach activity critiqued by the ACLU occurred several years ago. FBI denied that the outreach was used to gather intelligence. See http://www.aclu.org/files/assets/aclu_eye_on_the_fbi_-_mosque_outreach_03272012_0.pdf; Dan Levine, "FBI Said to Have Gathered Intelligence on California Muslims," *Reuters*, March 27, 2012, http://www.reuters.com/article/2012/03/28/us-usa-california-muslims-idUSBRE82R00Y20120328.

[64] Gillian Flaccus, "Calif. Case Highlights Use of Mosque Informants," *Associated Press*, March 1 2009, http://www.breitbart.com/article.php?id D96LD2A81&show_article 1.

[65] Ibid.

[66] Watanabe and Esquivel, March 1, 2009.

[67] HSAC CVE Working Group, Spring 2010, p. 6.

this dualistic U.S. Attorney role—chief terrorism litigators v. federal outreach coordinators—may be challenging in the implementation of the strategy.

Legitimacy and Litmus Tests

Given their role in federal CVE engagement, U.S. Attorneys have to selectively cooperate with groups at the local level. Identifying specific groups for outreach may be challenging. There is little consensus among American Muslims regarding national advocacy groups: "many Muslims do not feel there is a national Muslim-American organization that represents them. When asked which of a list of national Muslim-American organizations represents their interests, 55% of Muslim men and 42% of Muslim women say that none do."[68]

The U.S. government can affect the legitimacy of community actors simply by choosing them as outreach partners. It is unclear how U.S. Attorneys will select the groups with which they will work. To this end, will the U.S. government establish litmus tests regarding federal interaction with community groups? What role will law enforcement considerations—potentially choosing only groups that have cooperated with FBI investigations by offering leads or providing informants, for example—play in the selection of community partners? Will federal investigators scour the backgrounds of groups prior to engaging with them?

When selecting engagement partners, DOJ has made at least one very public choice that was driven by law enforcement or prosecutorial considerations. The FBI and DOJ have limited their ties to the Council on American-Islamic Relations (CAIR), because DOJ listed the group as an unindicted co-conspirator in a federal terrorism case.[69] This is an example of the dynamics described in **Figure 1**—the secretive (operational) realm driving community engagement activity in the marketplace of ideas. In November 2008, the Holy Land Foundation for Relief and Development and five of its leaders were convicted of providing material support to Hamas, a designated foreign terrorist organization.[70] CAIR has opposed its listing as an unindicted co-conspirator. The listing is not a formal criminal charge, and subsequent terrorism charges have not been brought against CAIR.[71] In spite of all of this, CAIR, a well-known Muslim advocacy group, maintains working relationships with local law enforcement officials.[72]

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[68] *Muslim Americans: Faith, Freedom, and the Future; Examining U.S. Muslims' Political, Social, and Spiritual Engagement 10 Years After September 11*, Abu Dhabi Gallup Center, August 2011, p. 25, http://www.abudhabigallupcenter.com/148778/REPORT-BILINGUAL-Muslim-Americans-Faith-Freedom-Future.aspx. Hereinafter: *Muslim Americans: Faith, Freedom, and the Future*.

[69] Letter from Richard C. Powers, FBI Assistant Director, to U.S. Senator Jon Kyl, April 28, 2009.

[70] Transcript of Hearing, "Rep. Frank R. Wolf Holds a Hearing on Justice Department Budget," *Political Transcript Wire*, March 1, 2012; DOJ, press release, "Federal Judge Hands Downs Sentences in Holy Land Foundation Case," May 27, 2009, http://www.justice.gov/opa/pr/2009/May/09-nsd-519.html. For more on CAIR's origins and relationship with the U.S. government, see Lorenzo Vidino, *The New Muslim Brotherhood in the West* (New York: Columbia University Press, 2010), pp. 177-197. In the fall of 2008, the FBI limited its interactions with CAIR.

[71] CAIR, press release, "Top Internet Disinformation About CAIR," http://www.cair.com/Portals/0/pdf/Dispelling_Rumors_about_CAIR.pdf.

[72] Scott Shane, "Congressional Hearing Puts Muslim Civil Rights Group in the Hot Seat Again," *New York Times*, March 11, 2011, http://www.nytimes.com/2011/03/12/us/politics/12muslims.html?scp=3&sq=&st=nyt.

Fusion Centers and Community Engagement—Potentially Alleviating Tensions

The CVE strategy mentions the role of the national network of fusion centers[73] in alleviating tension between the government's investigative and engagement activities. Fusion centers play a part in reporting suspicious, terrorism-related activity nationwide, perhaps potentially causing some tension between communities and law enforcement.[74] The strategy and the SIP mention the Building Communities of Trust Initiative (BCOT) as a project fostering relationships among three sets of actors—fusion centers, law enforcement, and the communities in which they operate.[75] This type of outreach potentially informs local communities about how suspicious activity suggestive of terrorism is reported to law enforcement and how police protect civil rights and liberties as they look for such activity.[76] The initiative's recommendations included items such as

- training of fusion center analysts in cultural sensitivity so that they can distinguish behavior that is constitutionally protected from criminal or terrorist activity;
- encouraging law enforcement to "embrace" community policing by "emphasizing partnerships and problem solving"; and
- encouraging communities to view information sharing with fusion centers and law enforcement as key to crime prevention and counterterrorism.[77]

Building Government and Law Enforcement Expertise

The SIP emphasizes three key items in this area. First, the plan notes that the U.S. government has to improve its understanding of radicalization via research, analysis, and partnerships. Second, greater sharing of information among state, local, and federal agencies regarding terrorist recruitment and radicalization is necessary.[78] Third, the SIP notes that the federal government has to improve the radicalization-related training offered to federal, state, and local agencies.

Paramount among the federal government's efforts to improve its understanding of CVE are efforts to study the radicalization process and identify radicalizing individuals. To this end, as of March 2012, the National Institute of Justice included research on domestic radicalization in its preliminary list of forthcoming funding opportunities.[79] The Science and Technology Directorate (S&T) within DHS has also pursued the topic. The department claims that since 2009, S&T has

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[73] DHS recognizes a national network of state and local intelligence fusion centers. The network consists of centers that function as "collaborative effort[s] of two or more agencies that provide resources, expertise, and information ... with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity." See *Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era*, August 2006, p. 12. http://it.ojp.gov/documents/fusion_center_guidelines_law_enforcement.pdf. For a list of fusion centers, see Department of Homeland Security, "Fusion Center Locations and Contact Information," February 22, 2012, http://www.dhs.gov/files/programs/gc_1301685827335.shtm.

[74] For more on suspicious activity reporting see CRS Report R40901, *Terrorism Information Sharing and the Nationwide Suspicious Activity Report Initiative: Background and Issues for Congress*, by Jerome P. Bjelopera.

[75] See Robert Wasserman, *Guidance for Building Communities of Trust*, July 2010, pp. 4-5, http://nsi.ncirc.gov/documents/e071021293_BuildingCommTrust_v2-August%2016.pdf. Hereinafter: Wasserman, *Guidance for Building*.

[76] *Strategic Implementation Plan*, p. 9.

[77] Wasserman, *Guidance for Building*, pp. 4-5.

[78] *Strategic Implementation Plan*, pp. 12-18.

[79] See http://www.nij.gov/nij/funding/forthcoming.htm. For the Congressional appropriation see P.L. 112-55, p. 615.

developed more than 20 reports in this area.[80] To help identify radicalizing individuals, DHS, the FBI, and the National Counterterrorism Center (NCTC) produced a study of homegrown terrorists, which reportedly teased out warning signs of radicalization. The study was discussed by senior federal, state, and local law enforcement officials at the White House in January 2012.[81] Along these same lines, in July 2011, NCTC released findings resulting from an interagency study of homegrown terrorists. This study was not made public officially, but a summary of its findings is available online. It describes four "mobilizing patterns" among extremists. These include "links to known extremists, ideological commitment to extremism, international travel, and pursuit of weapons and associated training."[82] It also emphasized an approach to understanding and assessing radicalization via analysis of behavioral indicators.[83]

The SIP also calls for enhanced information sharing between federal, state, and local law enforcement. Prior to late 2011, these efforts largely revolved around disseminating information to and briefing state and local officials. Such activity included the development of case studies examining the experiences of known and suspected terrorists.[84] This was recommended in 2010 by the HSAC.[85] In February 2011 congressional testimony, DHS Secretary Janet Napolitano remarked that DHS develops these *unclassified* case studies so

> that state and local law enforcement, state and local governments, and community members can understand the warning signs that could indicate a developing terrorist attack. These case studies focus on common behaviors and indicators regarding violent extremism to increase overall situational awareness and provide law enforcement with information on tactics, techniques, and plans of international and domestic terrorists.[86]

Napolitano went on to note that DHS conducted what she dubbed "deep dive sessions" regarding CVE issues with local police intelligence experts—providing them with information they could pass to subordinates.[87]

Additionally, the SIP notes that the federal government will enhance the radicalization-related training offered to federal, state, and local agencies. It argues that this is necessary because of "a small number of instances of federally sponsored or funded CVE-related and counterterrorism training that used offensive and inaccurate information."[88] In March 2011, news reports and a study suggested that state and local law enforcement officials were receiving poor counterterrorism training from unqualified instructors, often from the private sector.[89]

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[80] DHS, Fact Sheet, p. 2.

[81] Eileen Sullivan, "Police Chiefs Meet at WH on Homegrown Terror Fight," *Associated Press*, January 18, 2012.

[82] National Counterterrorism Center. "Behavioral Indicators Offer Insights for Spotting Extremists Mobilizing for Violence, July 22, 2011, p. 1.

[83] Ibid.

[84] *Strategic Implementation Plan*, p. 14.

[85] HSAC CVE Working Group. Spring 2010, p. 20.

[86] U.S. Congress, House of Representatives Committee on Homeland Security, Written Testimony of Janet Napolitano, Secretary of the Department of Homeland Security, "Understanding the Homeland Threat Landscape Considerations for the 112th Congress," 112th Cong., 1st sess., February 9, 2011, p. 5.

[87] Ibid.

[88] *Strategic Implementation Plan*, p. 15.

[89] Dina Temple-Raston, "New Concern About Bias In Counterterror Training," *National Public Radio*, March 9, 2011, http://www.npr.org/2011/03/09/134374232/new-concern-about-bias-in-counterterror-training?ps rs; Thomas Cincotta, *Manufacturing the Muslim Menace: Private Firms, Public Servants, and the Threat to Rights and Security*, 2011, (continued...)

Furthermore, news reports indicated that offensive material produced by an FBI employee was delivered in a variety of official training sessions up until August 2011.[90] These revelations led to concerns from public officials and advocacy groups regarding training standards used by the bureau.[91] In addition, reportedly biased material had seeped into the training made available to Joint Terrorism Task Force[92] officers via a secure computer network.[93]

In the midst of these revelations, in September 2011 the bureau announced a review

> of all training and reference materials that relate in any way to religion or culture. Additionally, the FBI will consult with outside experts on the development and use of training materials to best ensure the highest level of quality for new agent training, continuing education for all employees, and any FBI-affiliated training. All training will be consistent with FBI core values, the highest professional standards, and adherence to the Constitution.[94]

DOJ announced a similar review in September 2011 as well.[95] Less than one percent of the material inspected was found to be inaccurate or inappropriate.[96] In October 2011, the White House ordered a broader examination of CVE instructional efforts within the federal government.[97] In the same month, DHS released guidance and best practices for CVE training. These highlighted five commonsense goals:

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Public Research Associates, http://www.publiceye.org/liberty/training/Muslim_Menace_Complete.pdf.

[90] Spencer Ackerman and Noah Shachtman, "Video: FBI Trainer Says Forget 'Irrelevant' al-Qaida, Target Islam," *Wired*, September 20, 2011, http://www.wired.com/dangerroom/2011/09/fbi-islam-qaida-irrelevant/all/1.

[91] Letter from Sen. Joseph I. Lieberman and Sen. Susan M. Collins, to Eric H. Holder, Jr., Attorney General, and Janet Napolitano, Secretary of Homeland Security, March 29, 2011, http://www.hsgac.senate.gov/reports/letters. For an example of concerns voiced by advocacy groups see Letter from American Civil Liberties Union et al., to Robert S. Mueller, III, Director, Federal Bureau of Investigation, October 4, 2011, http://www.aclu.org/files/assets/sign_on_letter_to_dir_mueller_re_radicalization_report_10.4.11.pdf. Some Members of Congress also wrote to Attorney General Eric H. Holder, Jr. and Secretary of Defense Leon E. Panetta regarding potential censorship of training material after the fallout surrounding the FBI's training efforts. See Letter from Rep. Sue Myrick et al. to Eric H. Holder, Jr., Attorney General, and Leon E. Panetta, Secretary of Defense, December 15, 2011, http://myrick.house.gov/uploads/12152011_Letter%20to%20DOJ%20and%20DOD%20re%20CT%20training%20changes.pdf.

[92] Joint Terrorism Task Forces (JTTFs) are locally based, multi-agency teams of investigators, analysts, linguists, SWAT experts, and other specialists who investigate terrorism and terrorism-related crimes. Seventy-one of the more than 100 JTTFs currently operated by DOJ and the FBI were created since 9/11. Over 4,400 federal, state, and local law enforcement officers and agents—more than four times the pre-9/11 total—work in them. These officers and agents come from more than 600 state and local agencies and 50 federal agencies. See Federal Bureau of Investigation, "Protecting America from Terrorist Attack: Our Joint Terrorism Task Forces," http://www.fbi.gov/about-us/investigate/terrorism/terrorism_jttfs.

[93] Spencer Ackerman, "Obama Orders Government to Clean Up Terror Training," *Wired*, November 29, 2011, http://www.wired.com/dangerroom/2011/11/obama-islamophobia-review/. Hereinafter: Ackerman, "Obama Orders."

[94] FBI, press release, "FBI Launches Comprehensive Review of Training Program," September 20, 2011, http://www.fbi.gov/news/pressrel/press-releases/fbi-launches-comprehensive-review-of-training-program.

[95] James M. Cole, Deputy Attorney General, memorandum for heads of DOJ components and United States Attorneys, "Training Guiding Principles," March 20, 2012, http://www.justice.gov/dag/training-guiding-principles.pdf. Hereinafter, Cole, memorandum.

[96] Letter from Greg Fowler, Special Agent in Charge, FBI Portland Division, to Community Partners, March 28, 2012, http://www.fbi.gov/portland/news-and-outreach/stories/letter-to-community-partners?utm_campaign=email-Immediate&utm_medium=email&utm_source=portland-top-stories&utm_content=83167.

[97] Ackerman, "Obama Orders."

1. Trainers and training should be expert and well-regarded.
2. Training should be sensitive to constitutional values.
3. Training should facilitate further dialog and learning.
4. Training should adhere to government standards and efforts.
5. Training and objectives should be appropriately tailored, focused, and supported.[98]

The same document notes that CVE education programs differ from strictly counterterrorism training (the latter presumably centered on topics such as terrorist threats, vulnerabilities, and trends in terrorism). CVE training focuses "on developing trust, enhancing community resiliency, prevention, intervention, and protecting civil rights and civil liberties."[99] In March 2012, DOJ and FBI released their own sets of training principles that parallel DHS's goals.[100]

Risks and Challenges

Development of better training and improved information sharing are laudable law enforcement goals. However, because such efforts feature so prominently in the second SIP objective, its overall thrust may be perceived to be more about classic preventative policing than about countering radicalization at the grass-roots level. It is unclear how much of the activity described under this objective directly fits into the Administration's emphasis on "a community based" CVE approach.[101]

There is space in the CVE strategy for training law enforcement about constitutionally protected aspects of the radicalization process—in other words, efforts to train police to understand when suspects go from being law-abiding radicals to being terrorists. However, the SIP itself does not offer any formal means for federal, state, or local law enforcement to cope with radicalizing individuals outside of their traditional areas of expertise—investigation, arrest, and prosecution. The SIP does not outline mechanisms for law enforcement to refer radicalizing individuals for community intervention (whatever that might mean within a local context). Without such a process, police can become very adept at identifying radicalization and yet be only able to cope with a radicalized individual when he or she mobilizes and becomes a terrorism suspect. One of the risks implicit in this SIP objective is that it may sharpen police ability to investigate terrorists, without improving their ability to intervene with radicalizing individuals.

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[98] CRCL, *Countering Violent Extremism (CVE) Training Guidance and Best Practices,* 2011, http://training.fema.gov/EMIWeb/docs/shared/CVE%20Training%20Guidance.pdf. Hereinafter: CRCL, *Training Guidance.* The Federal Emergency Management Agency (FEMA) also issued a bulletin regarding the same issues. FEMA grants can be used for CVE training. See FEMA, *Grant Programs Directorate Information Bulletin,* October 7, 2011, http://www.fema.gov/pdf/government/grant/bulletins/info373.pdf.

[99] CRCL, *Training Guidance.* DHS defines "resiliency" as the "ability to resist, absorb, recover from or successfully adapt to adversity or a change in conditions." See; HSAC, Community Resilience Task Force Recommendations," June 2011, p. 8, http://www.dhs.gov/xlibrary/assets/hsac-community-resilience-task-force-recommendations-072011.pdf.

[100] Cole, memorandum; FBI, *The FBI's Guiding Principles: Touchstone Document on Training 2012,* March 2012, http://www.fbi.gov/about-us/training/the-fbis-guiding-principles.

[101] *Empowering Local Partners,* p. 2.

If the SIP's efforts to improve law enforcement training mostly enhance the ability of police to detain suspects and provide no other means for coping with radicalization, then these elements of the strategy might be better described as counterterrorism in nature, not part of the nation's counter-radicalization strategy.

The Issue of Openness

Should the federal government be concerned about the over-classification of radicalization-related research and training material by the security agencies involved in its development? The SIP's second objective is an area in which a great deal of activity can occur behind closed doors (within the secretive realm described in **Figure 1**), especially if the objective largely involves security, intelligence, and law enforcement agencies that typically avoid public disclosure of much of their other work. *However*, the steps involved in the radicalization process involve largely constitutionally protected activity that occurs in the public sphere. Excessive secretiveness regarding government efforts to understand the legally protected activities of Americans might actually fuel radicalization. For example, one study by a British think tank has suggested that conspiracy theories "are a reaction to the lack of transparency and openness in many of our [U.K.] institutions." This same study sees conspiracies as a "radicalizing multiplier."[102] Could this be possible in the United States?

A project developed as part of the second SIP objective was not widely released. The study of radicalization among homegrown violent extremists performed by DHS, NCTC, and the FBI—mentioned above—was revealed to state and local law enforcement behind closed doors at the White House. This example poses the question: can the federal government build trust within local communities if it holds back from the general public its own study of how people in the United States radicalized and became terrorists? Will secretiveness in this area actually feed radical narratives?

Additionally, will excessively secret government efforts to understand radicalization shake community trust in law enforcement? Federal attempts to develop *classified* theories about legally protected activities may make community groups less willing to "share" information regarding those very activities—*especially if that information is treated strictly as intelligence by the government and the results of such "sharing" are never seen*. Transparency in this arena potentially opens government conceptualizations of radicalization and federal training materials to the scrutiny of outside experts. It is unclear what sway partnerships with non-government experts will have in the SIP's second objective.

Talking about Ideology

Ideology is a key ingredient in the radicalization experience. It is unclear how the CVE Training Guidance issued by DHS accommodates discussion of ideology within an instructional environment. In fact, under one of its goals: "Training should be sensitive to constitutional values," the guidance indicates that "Training should focus on behavior, not appearance or membership in particular ethnic or religious communities," yet it is silent regarding radical

[102] Jamie Bartlett and Carl Miller, *The Power of Unreason: Conspiracy Theories, Extremism, and Counter-Terrorism*, Demos, London, August 29, 2010, pp. 21, 39.

ideologies. Should instructors focus on ideology? How should instructors discuss radical beliefs in the classroom?

Countering Violent Extremist Propaganda

The SIP notes that countering violent extremist propaganda is "the most challenging area of work, requiring careful consideration of a number of legal issues, especially those related to the First Amendment."[103] In this area the document highlights NCTC's efforts to develop a "Community Awareness Briefing." In 2010, NCTC's Director described the briefing in testimony to the Senate Homeland Security and Governmental Affairs Committee:

> It has become clear that government can play a significant role by acting as a convener and facilitator that informs and supports—but does not direct—community-led initiatives. Based on this, NCTC led the development of a Community Awareness Briefing that conveys unclassified information about the realities of terrorist recruitment in the Homeland and on the Internet. The briefing, which can be used by departments and agencies and has garnered very positive reactions, aims to educate and empower parents and community leaders to combat violent extremist narratives and recruitment.[104]

NCTC has also connected community activists with technology experts in a seminar to "maximize the use of technology to counter violent extremism online" and the Department of State has developed exchanges between foreign CVE experts and U.S. communities.[105] The SIP did not indicate any additional "current activity" in late 2011 to counter violent extremist propaganda other than working to inform the media, policy makers, and U.S. communities on the issue. It does mention the development of a separate strategy for the digital environment.[106]

Risks and Challenges

The SIP notes that government efforts to counter narratives that foster radicalization should affirm American unity and bolster community capacities to "contest violent extremist ideas." The document stresses the importance of First Amendment concerns in this area.[107]

Aside from First Amendment issues, a challenge in this area might revolve around the perceived legitimacy of the main agencies the Administration selects for its implementation efforts. If security agencies trawling the Internet for potential suspects lead the charge in fostering a counter-narrative, will American Muslims see these efforts as legitimate?[108] How willing will they be to partner with FBI, DOJ, NCTC, and DHS to further this SIP goal?

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[103] Ibid., p. 18.

[104] Written Statement of Michael Leiter; Director, National Counterterrorism Center; U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, *Nine Years after 9/11: Confronting the Terrorist Threat to the Homeland*, 111th Cong., 2nd sess., September 22, 2010, p. 8.

[105] *Strategic Implementation Plan*, p. 19.

[106] Ibid., p. 20.

[107] Ibid., p. 18.

[108] See CRS Report R42406, *Congressional Oversight of Agency Public Communications: Implications of Agency New Media Use*, by Kevin R. Kosar, for information regarding Congress's role in oversight of federal public communications activities.

One area in which these agencies may be able to leverage their reputations as part of the U.S. counterterrorism apparatus, build rapport within communities, and possibly forward efforts to counter extremist propaganda, involves personal online security. They can provide training regarding safe Internet navigation, how to avoid criminals online, and websites sponsored by officially listed foreign terrorist organizations. They can talk to communities about what types of online activities prosecuted terrorists pursued, especially those activities documented in court proceedings and government press releases.

Administration Plan and Future Activities

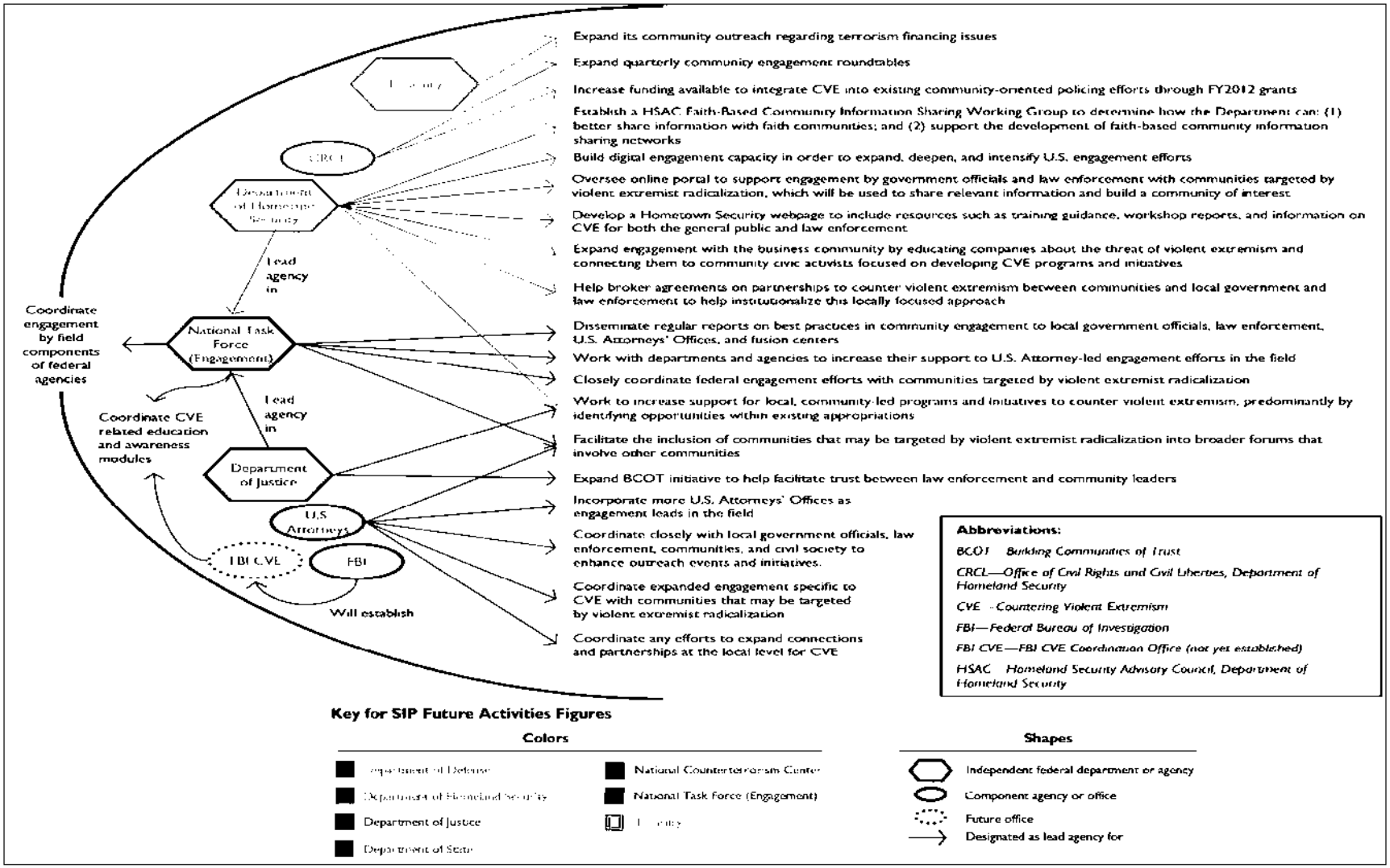
The SIP lists "future activities and efforts" under its three objectives. **Figure 2**, **Figure 3**, and **Figure 4** each cover a single SIP objective. They depict the lead federal agencies responsible for the future activities and efforts subsumed by the relevant objective, and more than one agency can serve as a lead for a particular effort. For the sake of clarity, the figures do not depict partner agencies playing secondary roles and assisting the lead agencies in particular activities. The language used for each of the future activities and efforts in the three figures extensively paraphrases or directly quotes the language used in the SIP. Additionally, the three figures do not include all of the component agencies of specific executive departments. Only the component agencies responsible for future activities and efforts under each SIP objective are included.

Is DHS the De Facto U.S. CVE Lead Agency?

It appears that DHS is cited as a lead agency in 43 of the 62 future activities and efforts discussed in the SIP.[109] Because it is a key player and decision maker in more than two-thirds of the SIP's impending plans, it seems that DHS may be the de facto lead agency in charge of U.S. CVE activity in the near future. This suggests a critical issue: while granted a large amount of responsibility for implementation of the CVE strategy, will DHS have a matching level of say in its further evolution?

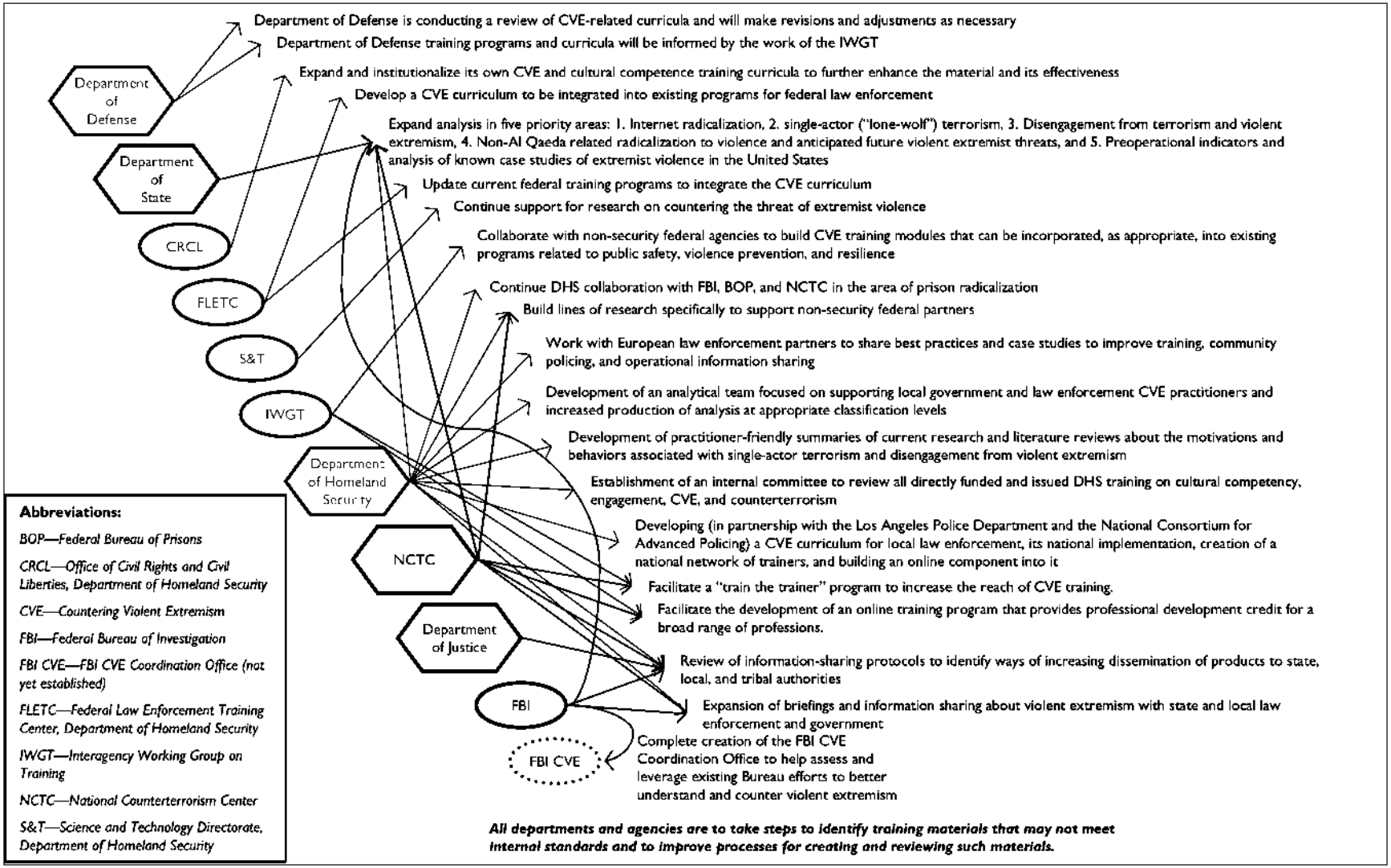
[109] This count includes four responsibilities given to the National Task Force for engagement under the SIP. Both DHS and DOJ are lead agencies in the task force.

Figure 2. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 1,
Enhancing Federal Engagement and Support to Local Communities that may be Targeted by Violent Extremists



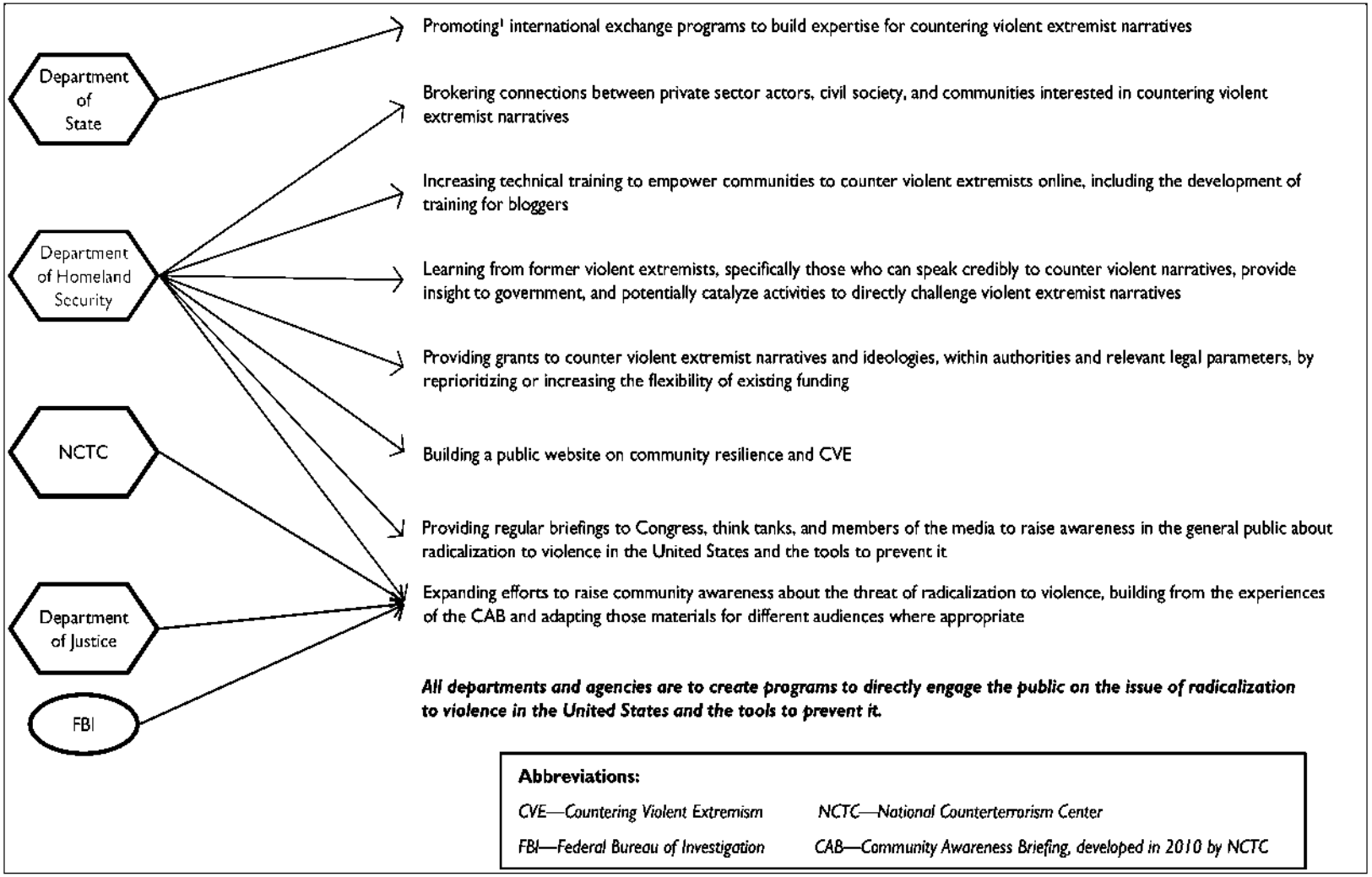
Source: CRS, based on materials contained in the SIP.

Figure 3. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 2, *Building Government and Law Enforcement Expertise for Preventing Violent Extremism*



Source: CRS, based on materials contained in the SIP.

Figure 4. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 3, *Countering Violent Extremist Propaganda While Promoting U.S. Ideals*



Source: CRS, based on materials contained in the SIP.

Notes: The text in Figure 4 shifts to the present progressive tense, as does the text in the SIP related to the future activities and efforts for Objective 3.

Possible Policy Considerations for Congress

"The United States has made great strides," says one federal counterterrorism official, "in what might be called tactical counterterrorism—taking individual terrorists off the streets, and disrupting cells and their operations ... an effective counterterrorism strategy must go beyond this ... (to address) the threat of violent extremism."[110] With the announcement of the CVE strategy, the Obama Administration has begun to address this concern. These Administration efforts may attract greater oversight from Congress, especially because the strategy involves the interplay between the public marketplace of ideas involving constitutionally protected activity and the secretive operational realm where terrorists plot and law enforcement pursues.

Implementing the CVE Strategy

As mentioned elsewhere in this report, federal CVE activity emphasizes engagement with Muslim communities across the country. It broadly recognizes this, training, and counter messaging as key components of CVE. However, aside from embracing robust outreach and training for government agencies, the strategy lacks specific initiatives to combat radicalization at the grass-roots level. This suggests a number of other issues.

Picking Partners and Establishing "Rules of the Road"

Who speaks for diverse Muslim communities in America? As mentioned above, "[w]hen asked which of a list of national Muslim-American organizations represents their interests, 55% of Muslim men and 42% of Muslim women say that none do."[111] Perhaps sentiments are clearer at the local level, however, these figures suggest the difficulty of selecting partners who accurately represent community needs. It is difficult to speak of one Muslim "constituency" in the United States. The 2.75 million Muslims in the United States have divergent sectarian points of view, come from many ethnic or national backgrounds, and live in a variety of areas. Muslim Americans support many secular and religious organizations.[112]

What criteria will the Administration employ in its selection efforts, and how transparent will the process be? Once approved as partners, what "rules of the road" will govern continued cooperation? In essence, what would have to happen for a Muslim community group to fall out of favor with the government? Ad hoc decision making might cause the whole CVE outreach process to appear arbitrary to some community participants. Congress may consider requiring the Administration to release public guidelines in this area. Public guidelines may be especially important, because engagement directly involves engaging people and issues in the open marketplace of ideas and protected constitutional activity.

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[110] Robert F. Godec, Principal Deputy Director for Counterterrorism at the Department of State, "U.S. Counterterrorism Policy," an address before the Global Young Leaders Conference, Washington, DC; June 30, 2010, http://www.state.gov/s/ct/rls/rm/2010/143809.htm.

[111] *Muslim Americans: Faith, Freedom, and the Future*, p. 25.

[112] Qamar-ul Huda, *The Diversity of Muslims in the United States: Views as Americans*, United States Institute of Peace, Special Report 159, Washington, DC. February 2006. http://www.usip.org/files/resources/sr159.pdf. See also: Pew Research Center, *Muslim Americans: No Signs of Growth in Alienation or Support for Extremism*, August 2011, pp. 13-21, http://www.people-press.org/files/legacy-pdf/Muslim-American-Report.pdf.

Intervention with At-Risk Individuals

There appears to be little federally driven guidance to community groups on how to intervene with people vulnerable to radicalization.[113] Such an intervention effort, the Channel Program, has been a key element of the United Kingdom's counter radicalization strategy since 2007. The British government describes Channel as a "multi-agency programme to identify and provide support to people at risk of radicalisation" and involvement in "all forms of terrorism."[114] Channel "relies on close collaboration between police, partners and other key stakeholders ... and where necessary, provides an appropriate support package tailored to an individual's needs."[115] Copying the Channel program in its entirety may not be appropriate for the U.S. context. However, it is unclear whether the Obama Administration considers some variant of Channel workable or even necessary in the United States.

The U.S. CVE strategy does cite the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Comprehensive Gang Model as an example of "locally-based initiatives that connect communities and government to address community challenges through collaboration and the development of stakeholder networks."[116] OJJDP—a component of DOJ's Office of Justice Programs—describes the model as "one of the few approaches to gangs that encompasses a multidisciplinary response to gangs on multiple levels."[117] The preventative model is intended as a blueprint for organizing local counter-gang efforts that do not necessarily result in law enforcement-driven outcomes, such as investigations, arrests, and prosecutions. For intervention, it targets young adult and teen gang members, not entities such as hate groups, prison gangs, or ideologically driven gangs consisting of adults.[118] The model involves five strategies:

> Community Mobilization: Involvement of local citizens, including former gang members and community groups and agencies, and the coordination of programs and staff functions within and across agencies.
>
> Opportunities Provision: The development of a variety of specific education, training, and employment programs targeting gang-involved youth.
>
> Social Intervention: Youth-serving agencies, schools, street outreach workers, grassroots groups, faith-based organizations, law enforcement agencies, and other criminal justice organizations reaching out and acting as links between gang-involved youth and their families, the conventional world, and needed services.
>
> Suppression: Formal and informal social control procedures, including close supervision or monitoring of gang youth by agencies of the criminal justice system and also by community-based agencies, schools, and grassroots groups.

[113] Aside from general mention in the *Strategic Implementation Plan*, p. 10.

[114] *Prevent Strategy*, p. 54.

[115] Association of Chief Police Officers, *National Channel Referral Figures*, http://www.acpo.police.uk/ACPOBusinessAreas/PREVENT/NationalChannelReferralFigures.aspx.

[116] *Empowering Local Partners*, p. 4.

[117] OJJDP, *OJJDP Comprehensive Gang Model: Planning for Implementation*, May 2009, p. 2. Hereinafter: OJJDP, *Comprehensive Gang Model*.

[118] OJJDP, *Comprehensive Gang Model*, p. 6.

> Organizational Change and Development: Development and implementation of policies and procedures that result in the most effective use of available and potential resources to better address the gang problem.[119]

The model is designed to focus on youth active in gangs or those who exhibit factors indicating potential gang involvement. It also advocates engagement with the families of such youth. Among its many suggestions, the model discusses interventions such as job training, employment, family counseling, academic tutoring, and anger management classes for young people at-risk. It also calls on law enforcement agencies and courts to move beyond traditional roles in the suppression of gangs—urging them to consider more intervention-oriented activities such as referring youth to social service programs.[120]

The CVE strategy provides little detail about how the Comprehensive Gang Model may be applied to keep vulnerable people from radicalizing and becoming terrorists. Congress may consider examining the utility and feasibility of developing a CVE intervention model for the United States. While elaborating the specific details of such a program may be best left to the federal agencies potentially involved, broadly and publicly exploring what shape it would take might be of value to Congress. Key questions may involve issues such as (1) which agencies would take the lead in creating a program based on the Comprehensive Gang Model? (2) how would the FBI have to adapt its counterterrorism mission—strictly focused on investigating and disrupting terrorist activity—to handle the notion of "social intervention" as suggested by the Comprehensive Gang Model?

Identifying Programs and Federal Contacts to Assist Grassroots CVE Efforts

The Administration's CVE strategy stresses that "the best defenses against violent extremist ideologies are well-informed and equipped families, local communities, and local institutions."[121] Determining and explaining how local entities—whether public or private—should interact with federal partners may pose quite a challenge. For example, are there existing federal grant programs that can be harnessed by local actors to develop a CVE intervention program? A publicly available comprehensive list of grant programs that can be harnessed for CVE activities does not exist. Congress may opt to consider the feasibility or the value of such a list or a clearinghouse available to local entities to identify such programs. By possibly pursuing this, Congress may help to ensure that local constituents have better information about and more direct access to federal CVE programs. On the other hand, such a list may be perceived as an additional layer of bureaucracy between constituents and grant programs.

Countering Extremist Ideas: Choosing Good vs. Bad

As the United Kingdom has clearly stated in its counter-radicalization program, extremist ideologies play a role in radicalization.[122] Furthermore, the National Security Council's Quintan

[119] National Gang Center, "About the OJJDP Comprehensive Gang Model," http://www.nationalgangcenter.gov/Comprehensive-Gang-Model/About. "Suppression" was not emphasized in the Obama Administration's national CVE strategy's description of the Comprehensive Gang Model. The other components of the model were mentioned. See *Empowering Local Partners*, p. 4.

[120] OJJDP, *Comprehensive Gang Model*, p. 6.

[121] *Empowering Local Partners*, p. 2.

[122] *Prevent Strategy*, p. 7.

Wiktorowicz has commented that "we [the United States] will push back against the full scope of different violent ideologies with an inclusive, positive narrative."[123] However, in the United States, mere belief in radical notions, no matter how reprehensible they are, is not necessarily illegal. The American Civil Liberties Union's (ACLU's) Michael German has stated that the ACLU is "deeply concerned about the potential for government censorship of Internet content based on the [CVE] strategy's proposal for countering violent extremist propaganda."[124]

Even more fundamentally, the task of countering extremist ideas raises key issues regarding the implementation of the CVE strategy. In the SIP, the Administration notes that when countering violent extremist propaganda, "In many instances, it will be more effective to empower communities to develop credible alternatives that challenge violent extremist narratives rather than having the federal government attempt to do so."[125] This begs the question: do the strategy and the SIP place the federal government in the business of determining which ideologies are dangerous and which are safe—essentially determining which beliefs are good and which are bad? This can be viewed from two angles. One involves establishing parameters for engagement with local communities, the other involves evaluating the end product of engagement, the counter-narrative.

- First, while the SIP may suggest that the government *should not* be involved in *creating* alternatives to violent extremist propaganda, it appears to assume that the government *will* be involved in *sifting* between dangerous and safe ideas—establishing parameters for engagement on this issue. Without picking and choosing between good and bad ideologies, "empowering" local activists to counter specific concepts may prove difficult. Empowering individuals and groups to counter un-named, un-described concepts may prove challenging.
- Second, if the framing of a counter-narrative challenging terrorist ideologies is necessary, how precisely should the federal government partner with state and local government and civilian counterparts in the development of this counter-narrative? How do government entities keep a counter-narrative from being publicly viewed as propaganda or fueling terrorist conspiracy theories about the United States?

Oversight in this area may be vital. As a start, Congress may wish to ask the Administration to better define what it means when referring to "violent extremist narratives."

The Lack of a Lead Agency

There is no designated single lead agency for any of the three objectives laid out in the SIP. Likewise, there is no single agency managing all of the individual activities and efforts of the plan. At the national level, it arguably may be of value to have a single federal agency in charge of the government's CVE efforts. One expert has stated as much:

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[123] Dina Temple-Raston, "White House Unveils Counter-Extremism Plan," *NPR*, August 3, 2011, http://www.npr.org/2011/08/04/138955790/white-house-unveils-counter-extremism-plan.

[124] "ACLU Lens: Obama Plan to Fight Violent Extremism a Step in the Right Direction, But..." *ACLU Blog of Rights*, August 3, 2011, http://www.aclu.org/blog/national-security/aclu-lens-obama-plan-fight-violent-extremism-step-right-direction.

[125] *Strategic Implementation Plan*, p. 18.

> The White House should designate a single agency that serves as the principal hub for collecting, disseminating, and evaluating information on counter-radicalization. Its main function would be to collect, analyze, and share best practices with a wide range of governmental and non-governmental actors, including community leaders and non-profits.[126]

Without a lead agency it may be difficult to monitor the levels of federal funding devoted to CVE efforts. How many personnel are devoted to CVE in the federal government? For how many of these employees is counter radicalization a full-time job? Are there mechanisms to track federal CVE expenditure? Which federal body is responsible for this? Very specifically, the lack of a lead agency is reflected in the fact that DOJ, DHS, and FBI have each issued training guidelines for CVE. They are very similar, but the issuance of three almost identical but separate guidelines raises the question: why not just have one set created by one body overseeing the CVE program? Congress may pursue with the Administration the feasibility or value of designating a lead agency, or the possibility of naming a lead via legislation. However, it is unclear what types of authority—especially in the budgetary realm—such a lead may be able to wield over well-established agencies playing central roles in the CVE strategy.

Measuring Input and Results

On the other side of these budgetary questions, without a lead agency, how will the Administration evaluate the effectiveness of federal CVE efforts? The SIP underscores that individual departments and agencies involved in CVE "will be responsible for assessing their specific activities in pursuit of SIP objectives, in coordination with an Assessment Working Group."[127] While this may seem straight-forward, the British government has struggled with measurement issues related to its counter-radicalization strategy. U.K. officials have made "progress ... in measuring outputs but not always in measuring outcomes."[128] In other words, counting the number of engagement events is one thing. It is quite another thing to evaluate their impact. The SIP mentions this problem as well.[129] However, the SIP does not discuss (1) specific metrics, (2) what real authority the Assessment Working Group will have to *independently* evaluate and impact CVE activity within federal departments and agencies, and (3) whether the Assessment Working Group will have the power to standardize measures of success across federal agencies and departments. In the end, the lack of a lead agency with budgetary control over CVE efforts and clear responsibility for implementation of the strategy makes it difficult to conceptualize exactly how spending in this area will be prioritized, evaluated, and then re-prioritized based on results.

Secretiveness vs. Transparency

Without a high degree of transparency, an engagement strategy driven by federal agencies charged with intelligence gathering and law enforcement responsibilities may run the risk of being perceived as an effort to co-opt communities into the security process—providing tips, leads, sources, and informants. This threatens to "securitize" a relationship intended as outreach within the marketplace of ideas. It has been noted that "unlike counterterrorism, which targets

[126] Neumann, *Preventing Violent Radicalization*, p. 41.

[127] *Strategic Implementation Plan*, p. 6.

[128] *Prevent Strategy*, p. 36.

[129] *Strategic Implementation Plan*, p. 6.

terrorists, counter-radicalization is focused on the communities that are targeted by terrorists for recruitment. The aim is to protect, strengthen, and empower these communities so that they become resilient to violent extremism."[130] As such, some suggest that it might not be particularly effective to have the same federal agencies responsible for counterterrorism also be the main players in the CVE strategy.[131] The SIP rejects this notion, stressing that "traditional national security or law enforcement agencies such as DHS, DOJ, and the FBI will execute many of the programs and activities outlined in the SIP."[132] The strategy relies on agencies whose enforcement and intelligence missions are undergirded by secretiveness. As it stands, 19 of the 20 "future activities and efforts" for SIP objective 1, which focuses on community engagement, have DOJ, DHS, or a national task force headed by DOJ and DHS as lead agencies. The lone remaining future activity/effort is headed by the Department of Treasury and is focused on terrorism financing, an area of enforcement for the Department.

The fact that DOJ, DHS, and Treasury are key counterterrorism agencies may make it difficult for community groups to view them as full partners, especially if community confidence in them is shaky to start. According to a 2011 study, American Muslims have less confidence than other faith groups in the FBI—"60% of Muslim Americans saying they have confidence in the FBI, versus 75% or more of Americans of other faiths who say this."[133] Because of this reality, Congress may decide to assess whether there is a need for greater transparency from the Administration in its CVE efforts.

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[130] Neumann, *Preventing Violent Radicalization*, p. 7.

[131] Ibid., p. 8.

[132] *Strategic Implementation Plan*, p. 4.

[133] *Muslim Americans: Faith, Freedom, and the Future*, p. 23.

Countering Violent Extremism in the United States

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Prepared for Members and Committees of Congress

Summary

In August 2011, the Obama Administration announced its counter-radicalization strategy. It is devised to address the forces that influence some people living in the United States to acquire and hold radical or extremist beliefs that may eventually compel them to commit terrorism. This is the first such strategy for the federal government, which calls this effort "combating violent extremism" (CVE). Since the Al Qaeda attacks of September 11, 2001, the U.S. government has prosecuted hundreds of individuals on terrorism charges. Unlike the necessarily *secretive* law enforcement and intelligence efforts driving these investigations, the CVE strategy includes sizeable government activity within the *open marketplace of ideas*, where private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. Some of the key challenges in the implementation of the CVE strategy likely spring from the interplay between the marketplace of ideas and the secretive realm encompassing law enforcement investigations and terrorist plotting.

The strategy addresses the radicalization of all types of potential terrorists in the United States but focuses on those inspired by Al Qaeda. To further elaborate this strategy, in December 2011 the Administration released its "Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States" (SIP). The SIP is a large-scale planning document with three major objectives and numerous future activities and efforts. The SIP's three objectives involve (1) enhancing federal community engagement efforts related to CVE, (2) developing greater government and law enforcement expertise for preventing violent extremism, and (3) countering violent extremist propaganda.

This report provides examples of recent Administration CVE activity and examines some of the risks and challenges evident in the SIP's three objectives. The report also diagrams and briefly discusses the "future activities and efforts" outlined in the SIP for each of these three objectives. *A number of areas may call for oversight from Congress. These include the following:*

Picking Partners and Establishing "Rules of the Road"

Much of the federal government's CVE effort centers on engagement with Muslim American community groups. This may not be as easy as simply reaching out to local organizations. Who speaks for diverse Muslim communities in America? What criteria will the Administration employ in its selection efforts, and how open will the process be? Once approved as partners, what "rules of the road" will govern continued cooperation? Ad hoc and opaque decision making might render the whole CVE outreach process arbitrary to some community participants. Congress may opt to consider whether there is a need to require the Administration to release public guidelines in this area.

Intervention with At-Risk Individuals

There appears to be little federally driven guidance to community groups on how to intervene with people vulnerable to radicalization. Congress may desire to require the Administration to examine the utility and feasibility of developing a CVE intervention model—possibly akin to gang intervention models—for the United States.

Identifying Programs to Assist Grassroots CVE Efforts

Working with communities entails informing them of possible resources they can use. A publicly available, comprehensive list of grant programs that can be harnessed for CVE activities does not exist. Congress may be interested in asking the Administration to formalize a roster or designate a clearinghouse available to local entities to identify such programs. By possibly pursuing this, Congress may help to ensure that local constituents have better information about and more direct access to federal CVE programs. On the other hand, such a list could be perceived as an additional layer of bureaucracy between constituents and grant programs.

Countering Extremist Ideas: Choosing Good vs. Bad

The task of countering extremist ideas highlighted in the CVE strategy and SIP raises a number of questions. Do the strategy and the SIP place the federal government in the business of determining which ideologies are dangerous and which are safe—essentially determining which beliefs are good and which are bad? In order to conduct effective oversight, Congress may choose to ask the Administration to define exactly what it means when referring to "violent extremist narratives."

The Lack of a Lead Agency

There is no single agency managing all of the individual activities and efforts of the plan. At the national level, some may argue that it would be of value to have a single federal agency in charge of the government's CVE efforts. From their perspective, without a lead agency it may be difficult to monitor the levels of federal funding devoted to CVE efforts and how many personnel are devoted to CVE in the federal government. For how many of these employees is counter-radicalization a full-time job? Are there mechanisms to track federal CVE expenditure? Which federal body is responsible for this? Congress may wish to pursue with the Administration the feasibility or value of designating a lead agency, or the possibility of naming a lead via legislation. However, it is unclear what types of authority—especially in the budgetary realm—such a lead may be able to wield over well-established agencies playing central roles in the CVE strategy.

Transparency

Without a high degree of transparency, an engagement strategy driven by federal agencies charged with intelligence gathering and law enforcement responsibilities may run the risk of being perceived as an effort to co-opt communities into the security process—providing tips, leads, sources, and informants. Some may maintain that this threatens to "securitize" a relationship intended as outreach within the marketplace of ideas. As such, critics may argue that it might not be particularly effective to have the same federal agencies responsible for classified counterterrorism investigations grounded in secrecy also be the main players in the CVE strategy. However, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation have responsibilities for much of the CVE program. Because of this reality, Congress may opt to consider whether there is a need for greater transparency from the Administration in its CVE efforts.

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Introduction: Counterterrorism Context

In August 2011, the Obama Administration released its domestic counter-radicalization strategy. The Administration dubbed this effort "countering violent extremism" (CVE).[1] Implementation of the CVE strategy revolves around impeding the radicalization of violent jihadists in the United States.[2] As this may suggest, for this report, a couple of concepts are key. Namely, "radicalization" describes the process of acquiring and holding radical or extremist beliefs; and "terrorism" describes violent or illegal action taken on the basis of these radical or extremist beliefs.

This report examines the implementation of the Administration's counter-radicalization strategy and provides possible policy considerations for Congress relating to this relatively new area of coordinated federal activity. Implementation of the CVE strategy involves many elements within the executive branch and brushes against a number of key issues involving constitutionally protected activity versus effective counterterrorism policing efforts.

Government-related efforts to stave off terrorist activity in the United States exist within two broad contexts. First, the operational aspects of violent terrorist plots largely involve clandestine illegal activity. Since the terrorist attacks of September 11, 2011 (9/11), hundreds of individuals have been implicated in more than 50 homegrown violent jihadist plots or attacks.[3] In this *secretive realm,* law enforcement pursues terrorists in a real-world version of hide-and-seek. Domestic law enforcement strategies devised in the decade since 9/11 to prevent terrorism largely focus their efforts in this area.[4] Federal law enforcement activity in this arena is geared toward rooting out terrorists and stopping them from successfully executing their plots.

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[1] *Empowering Local Partners to Prevent Violent Extremism in the United States,* August 2011, p. 1, http://www.whitehouse.gov/sites/default/files/empowering_local_partners.pdf. Hereafter: *Empowering Local Partners.*

[2] The Obama Administration recognized the significance of the homegrown jihadist threat in its June 2011 *National Strategy for Counterterrorism.* This strategy document focuses on Al Qaeda, its affiliates (groups aligned with it), and its *adherents* (individuals linked to or inspired by the terrorist group). John Brennan, President Obama's top counterterrorism advisor, publicly described the strategy as the first one, "that designates the homeland as a primary area of emphasis in our counterterrorism efforts." See White House. *National Strategy for Counterterrorism,* June 2011, http://www.whitehouse.gov/sites/default/files/counterterrorism_strategy.pdf; Mathieu Rabechault, "U.S. Refocuses on Home-Grown Terror Threat," *AFP,* June 29, 2011, http://www.google.com/hostednews/afp/article/ALeqM5hLyJyB7khhqIxWOOlm1mCj7fYsRQ?docId=CNG.3f90005700ea65e0b05509a135c7a3a8.471; Karen DeYoung, "Brennan: Counterterrorism Strategy Focused on al-Qaeda's Threat to Homeland," *Washington Post,* June 29, 2011, http://www.washingtonpost.com/national/national-security/brennan-counterterrorism-strategy-focused-on-al-qaedas-threat-to-homeland/2011/06/29/AGki1LrH_story.html.

[3] See CRS Report R41416, *American Jihadist Terrorism: Combating a Complex Threat*, by Jerome P. Bjelopera. For lists of individuals involved in terrorism cases see http://homegrown.newamerica.net/table; "Profiles in Terror," http://motherjones.com/fbi-terrorist. For this CRS report, "homegrown" describes terrorist activity or plots perpetrated within the United States or abroad by American citizens, legal permanent residents, or visitors radicalized largely within the United States. "Jihadist" describes radicalized Muslims using Islam as an ideological and/or religious justification for belief in the establishment of a global caliphate—a jurisdiction governed by a Muslim civil and religious leader known as a caliph via violent means. Jihadists largely adhere to a variant of Salafi Islam the fundamentalist belief that society should be governed by Islamic law based on the Quran and follow the model of the immediate followers and companions of the Prophet Muhammad. For more on Al Qaeda's global network, see CRS Report R41070, *Al Qaeda and Affiliates: Historical Perspective, Global Presence, and Implications for U.S. Policy*, coordinated by John Rollins.

[4] For more information on federal counterterrorism law enforcement, see CRS Report R41780, *The Federal Bureau of Investigation and Terrorism Investigations*, by Jerome P. Bjelopera.

The second context is the open *marketplace of ideas.* Here, private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. In this arena, a relative few ordinary law-abiding persons move from the mainstream and adopt radical ideologies that embrace terrorism. As they radicalize, *they do not necessarily commit crimes.* Much like the policing that occurs in the secretive realm, the federal government's CVE strategy is a preventative approach to terrorism, *but it is not wholly focused on policing.* Rather, federal activity in this arena is geared toward helping local communities and individuals boost their resilience to terrorist radicalization efforts.

The divergent nature of these two contexts may imply clear distinction between the marketplace of ideas and the secretive operational realm. In reality, they are far from distinct. What happens operationally has significant impacts in the marketplace of ideas (**Figure 1**). This interrelationship is highlighted by any number of issues. For example,

- the success of terrorist plots in the secretive realm may spur radicalization and generate public fear in the marketplace of ideas;
- conversely, successful investigations in the secretive realm may discourage radicalizing individuals within the marketplace of ideas from eventually embracing violent acts of terrorism as an ultimate goal;
- effective policing within the secretive realm may depend on a trusting community acting supportively in the marketplace of ideas;
- perceived policing excesses in the secretive realm may impede community engagement with law enforcement; and
- high levels of radicalization occurring in the marketplace of ideas may expand the potential pool of terrorist recruits, while an effective government strategy to counter radicalization may staunch terrorist recruitment.

Figure 1. Counterterrorism Context

Source: CRS.

In fact, some of the key challenges involved in implementing a national strategy to deal with terrorist radicalization spring from the interplay between the marketplace of ideas and the secretive realm.

From Radicalization to Terrorism

A key way to fight the threat of homegrown terrorists is to develop an understanding of how radicalization works and formulate ways to prevent radicalization from morphing into terrorist plotting. In 2007, the New York City Police Department's (NYPD) Intelligence Division released a study of domestic jihadist radicalization that has been widely circulated within the law enforcement community.

The NYPD study describes a general four-step process of radicalization leading to terrorist plotting. First, individuals exist in a pre-radicalization phase in which they lead lives unaware of or uninterested in either violent jihad or fundamentalist Salafi Islam. Next, they go through self-identification in which some sort of crisis or trigger (job loss, social alienation, death of a family member, international conflict) urges them to explore Salafism. Third, individuals undergo indoctrination or adoption of jihadist ideals combined with Salafi views. The study indicates that, typically, a "spiritual sanctioner" or charismatic figure plays a central role in the indoctrination process. Finally, radicalizing individuals go through "jihadization," where they identify themselves as violent jihadists, and are drawn into the planning of a terrorist attack.[5] At this point, according to the NYPD, they can be considered violent extremists (terrorists). The Federal Bureau of Investigation's (FBI) own four-stage model of radicalization closely follows that of the NYPD.[6]

This model and the process it describes—though useful—should, however, be read with caution, according to some observers. The radicalization process is best depicted in broad brush strokes. Brian Michael Jenkins has suggested that

> There is no easily identifiable terrorist-prone personality, no single path to radicalization and terrorism. Many people may share the same views, and only a handful of the radicals will go further to become terrorists. The transition from radical to terrorist is often a matter of happenstance. It depends on whom one meets and probably on when that meeting occurs in the arc of one's life.[7]

Some experts have warned against viewing the radicalization process as a "conveyer belt," somehow starting with grievances and inevitably ending in violence.[8] The NYPD report itself acknowledges that individuals who begin this process do not necessarily pass through all the stages nor do they necessarily follow all the steps in order, and not all individuals or groups who

[5] Mitchell D. Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat*, City of New York Police Department, Intelligence Division, New York, 2007, pp. 6-8, http://sethgodin.typepad.com/seths_blog/files/NYPD_Report-Radicalization_in_the_West.pdf. Hereafter: Silber and Bhatt, *Radicalization in the West*.

[6] Carol Dyer, Ryan E. McCoy, Joel Rodriguez, et al., "Countering Violent Islamic Extremism: A Community Responsibility," *FBI Law Enforcement Bulletin*, December 2007, p. 6.

[7] Brian Michael Jenkins, *Would Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States Since September 11, 2001* (Santa Monica, CA: The RAND Corporation, 2010), p. 7.

[8] Sophia Moskalenko and Clark McCauley, "Measuring Political Mobilization: The Distinction Between Activism and Radicalism," *Terrorism and Political Violence*, vol. 21, no. 2 (April 2009), pp. 239-240.

begin this progression become terrorists.[9] Studies by the Department of Homeland Security's (DHS) Office of Intelligence and Analysis indicate that the radicalization dynamic varies across ideological and ethno-religious spectrums, different geographic regions, and socio-economic conditions. Moreover, there are many diverse "pathways" to radicalization and individuals and groups can radicalize or "de-radicalize" because of a variety of factors.[10]

In a more fundamental conceptualization, radicalization expert Peter Neumann has noted that three core elements exist in the radicalization process. These are grievance, ideology/narrative, and mobilization.[11] Grievances can stem from narrow issues unique to an individual's personal life or arise from broader perceptions of the surrounding world. A radicalizing individual seizes upon extremist ideologies or narratives to help explain his or her grievance. Mobilization consists of an individual acting on his or her grievances based on precepts culled from a particular ideology or narrative. These actions can involve criminality.[12]

Countering Radicalization in the United States

Because so much of the radicalization process occurs within the marketplace of ideas, counter-radicalization efforts involve activity in the same realm. American counter-radicalization approaches favor government engagement with communities affected by terrorism. Scholars who have studied the circumstances that are associated with voluntary cooperation by Muslim-Americans in anti-terror policing efforts have identified strong evidence that when authorities are viewed as more legitimate, their rules and decisions are more likely to be accepted.[13] Community engagement is—in part—an effort to make law enforcement authority more accepted within localities.

Administration Strategy and Current Activities

The Administration's CVE strategy revolves around countering the radicalization of all types of potential terrorists. As such, the radicalization of violent jihadists falls under its purview and is the key focus. The initial August 2011 strategy was supported by the Administration's release in December 2011 of its "Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States" (SIP).[14] The SIP is a large-scale planning document with three major objectives and numerous future activities and efforts. There is no single lead agency for any of the three objectives. Likewise, there is no single agency managing all of the individual

[9] Silber and Bhatt, *Radicalization in the West*, pp. 10, 19.

[10] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, Written Testimony of Charles E. Allen, Assistant Secretary of Intelligence and Analysis and Chief Intelligence Officer, Department of Homeland Security, "Threat of Islamic Radicalization to the Homeland," 110th Cong., 1st sess., March 14, 2007, p. 5.

[11] Ryan Hunter and Danielle Heinke. "Radicalization of Islamist Terrorists in the Western World." *FBI Law Enforcement Bulletin*, (September 2011), pp. 27-29, http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin/september-2011. Hunter and Heinke rely on the ideas of scholar Peter Neumann.

[12] Ibid.

[13] Tom R. Tyler, Stephen Schulhofer, and Aziz Huq, "Legitimacy and Deterrence Effects in Counter-Terrorism Policing," New York University School of Law, Public Law Research Paper No. 10-15, February 23, 2010, p. 2, http://lsr.nellco.org/cgi/viewcontent.cgi?article 1182&context nyu_pltwp.

[14] *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, December 2011, http://www.whitehouse.gov/sites/default/files/sip-final.pdf. Hereafter: *Strategic Implementation Plan*.

future activities and efforts of the plan. The SIP's three objectives or "core areas of activity" are "(1) enhancing engagement with and support to local communities that may be targeted by violent extremists; (2) building government and law enforcement expertise for preventing violent extremism; and (3) countering violent extremist propaganda while promoting our [U.S.] ideals."[15]

The following sections provide examples of recent Administration CVE activity and discussion of the risks and challenges evident in the SIP's three core areas of activity. The "future activities and efforts" outlined for each of the three core areas of activity in the SIP are also diagramed and briefly discussed below.

Community Engagement

The concept of building trust through engagement and partnership is rooted in the community policing model developed by law enforcement professionals in the 1990s, and community policing is mentioned in the Administration's CVE strategy.[16] Following the 9/11 attacks, law enforcement agencies came to realize the prevention of terrorist attacks would require the cooperation and assistance of American Muslim, Arab, and Sikh communities. "Embedded within these communities," notes Professor Deborah Ramirez, "are the linguistic skills, information, and cultural insights necessary to assist law enforcement in its efforts to identify suspicious behavior. In order to have access to these critical tools and information, law enforcement recognized the need to build bridges required for effective communication with these groups."[17] At the same time, Muslim, Arab, and Sikh Americans recognized the need to define themselves as distinctly American communities who, like all Americans, desire to help prevent another terrorist attack.[18]

A study by the Homeland Security Institute found that "[c]ommunity policing has been applied with notable success in places such as New York City, Chicago, Boston, and San Diego, and has been widely adopted (at least in name) throughout the United States."[19] A Homeland Security

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[15] Ibid., p. 2.

[16] Ibid., pp. 3, 6. The Justice Department has defined community policing as "a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." One of its key features is the establishment of collaborative partnerships between law enforcement agencies and individuals and organizations they serve to develop solutions to problems and increase trust in police. See DOJ Office of Community Oriented Policing Services, *Community Policing Defined*. April 3, 2009, p. 3, http://www.cops.usdoj.gov/files/RIC/Publications/e030917193-CP-Defined.pdf.

[17] Deborah A. Ramirez, Sasha Cohen O'Connell, and Rabia Zafar, The Partnering for Prevention and Community Safety Initiative, *A Promising Practices Guide Executive Summary*, 2004, p. 2, http://www.cps.neu.edu/pfp/downloads/PFP_Executive_Summary__cover.pdf.

[18] Ibid.

[19] Rosemary Lark (Task Lead), Richard Rowe, and John Markey, *Community Policing Within Muslim Communities: An Overview and Annotated Bibliography of Open-Source Literature*. Homeland Security Institute, December 27, 2006, p. iii. This study, prepared for the DHS Science and Technology Directorate, sought to identify the literature that examined community policing initiatives underway within Muslim Communities in the U.S., and the extent to which they were successful in achieving the objectives of (1) inclusiveness, promoting integration, and potentially minimizing the disaffection that can lead to radicalization, particularly among Muslim youth; (2) serving as early warning to identifying incipient radicalization or terrorist activities; and (3) opening a new channel of communication with individuals who can navigate the linguistic and cultural complexities of Islam, providing needed context to inform intelligence analysis, http://www.homelandsecurity.org/hsireports/Task_06-99 Community Policing within Muslim Communities.pdf.

Advisory Council (HSAC) working group[20] chaired by Maryland Governor Martin O'Malley commented on Community-Oriented Policing, stating that

> Effective public-private partnerships, designed to enable civic engagement, problem-solving, and violent crime mitigation provide the foundation for efforts to prevent, protect against and respond to violent criminal activity—including that which may be motivated by ideological objectives.[21]

The Administration's CVE strategy depends on federal agencies cooperating with local groups to expand engagement efforts and to foster preventative programming "to build resilience against violent extremist radicalization.... "[22] In fact, it highlights a "community-based approach" for the federal government, and much of the activity it describes will take place in the "marketplace of ideas" described in **Figure 1**. To this end, the federal government most effectively acts as a "facilitator, convener, and source of information."[23] Since November 2010, a national task force led by DOJ and DHS has helped coordinate CVE-related community engagement from the national perspective. It works with U.S. Attorneys, DHS's Office for Civil Rights and Civil Liberties (CRCL), the Department of State, and DOJ, among others.[24]

Role of U.S. Attorneys

Under the Administration's CVE strategy, U.S. Attorneys play a key role in community engagement within their jurisdictions.[25] U.S. Attorneys are "the nation's principal litigators under the direction of the Attorney General."[26] Attorney General Eric Holder has pushed the U.S. Attorneys to enhance their outreach efforts to Muslim, Sikh, and Arab American communities.[27] Within their districts across the country, U.S. Attorneys have met with Muslim communities regarding specific situations and trends.[28] In December 2010, DOJ began a pilot program involving U.S. Attorneys in community outreach efforts. This program did not specifically focus on CVE efforts but has included radicalization-related outreach.[29] For example, in September

[20] HSAC provides advice and recommendations to the Secretary of Homeland Security. The chair of the council is Judge William Webster, former Director of the CIA and Director of the FBI. Other members include leaders from state and local government, first responder communities, the private sector, and academia. The Countering Violent Extremism Working Group originated from a tasking by Secretary Napolitano to the HSAC in February 2010 to work with state and local law enforcement and relevant community groups to develop and provide recommendations on how DHS can better support community-based efforts to combat violent extremism domestically. See Homeland Security Advisory Council, Countering Violent Extremism Working Group, Spring 2010, p. 2. Hereafter: HSAC CVE Working Group, Spring 2010.

[21] HSAC CVE Working Group, Spring 2010, p. 5.

[22] *Strategic Implementation Plan*, p. 10.

[23] *Empowering Local Partners*, p. 3.

[24] *Strategic Implementation Plan*, p. 9

[25] Ibid., p. 8.

[26] DOJ, "United States Attorneys' Mission Statement," http://www.justice.gov/usao/about/mission.html.

[27] DOJ, "Arab and Muslim Engagement: U.S. Attorneys' Outreach Efforts," http://www.justice.gov/usao/briefing_room/crt/engagement.html. Hereafter: DOJ. "Arab and Muslim."

[28] DOJ, *Ten Years Later: The Justice Department After 9/11, Partnering with the Muslim, Arab, and Sikh Communities*, http://www.justice.gov/911/partnerships.html. Hereafter: DOJ, *Ten Years Later*.

[29] *Strategic Implementation Plan*, p. 8.

2011, the U.S. Attorney for the District of Oregon and Attorney General Holder met with Arab and Muslim community representatives in Portland, Oregon.[30]

Comparable outreach has been pursued by other U.S. Attorneys. The District of Minnesota has established the Young Somali-American Advisory Council. This responded to al-Shabaab's[31] recruitment of young men within the greater Minneapolis-St. Paul, Minnesota Somali community.[32] The council includes more than a dozen people between the ages of 18 and 30. Among the outreach activities tied to the council, the U.S. Attorney's office instructed council members on civics issues. In a similar vein, the U.S. Attorney for the Southern District of Florida and Assistant Attorney General Thomas E. Perez met with Muslim and Arab leaders in Miami in February 2011.[33] Likewise, in November 2010, an alleged jihadist terrorist plotter was arrested for purportedly attempting to bomb a Christmas tree lighting ceremony in Portland. In the plot's wake, the state's U.S. Attorney repeatedly met with local Muslim leaders.[34]

Other Federal Activities

Currently, aside from the special role given to U.S. Attorneys, other elements of DOJ and additional U.S. government agencies engage and partner with Muslim American communities. Some of these efforts by DHS, DOJ, and FBI are detailed below.

Department of Homeland Security

DHS has stated that public outreach to local communities plays a major role in the department's mission.[35] Engagement activities are centered in the Office for Civil Rights and Civil Liberties (CRCL), which began its outreach in 2003.[36] Its work involves counterterrorism and CVE-related matters, but its overall mission is broader. The office is also responsible for[37]

- advising DHS leadership, personnel, and partners about civil rights and civil liberties issues;
- communicating with individuals and communities whose civil rights and civil liberties may be affected by DHS activities, informing them about policies and

[30] DOJ, "Attorney General Holder Meets with Muslim Leaders in Portland," September 30, 2011, http://blogs.usdoj.gov/blog/archives/1617?print=1. Hereafter: DOJ, "Attorney General Holder Meets."

[31] A terrorist group in Somalia.

[32] B. Todd Jones, U.S. Attorney for the District of Minnesota, "Arab and Muslim Engagement: Countering Violent Extremism through Community-Based Approaches," http://www.justice.gov/usao/mn/oped.html; Laura Yuen, "Years After Somali Men Left Minn., Youth Decry Extremism," Minnesota Public Radio, November 8, 2011, http://minnesota.publicradio.org/display/web/2011/11/08/young-minnesota-somalis-decry-extremism/.

[33] DOJ, "Arab and Muslim."

[34] Peter Neumann, *Preventing Violent Radicalization in America*, Bipartisan Policy Center, (June 2011), p. 37 http://www.bipartisanpolicy.org/sites/default/files/NSPG.pdf. Hereafter: Neumann, *Preventing Violent Radicalization*.

[35] CRCL, "Engagement with Key Communities Team," August 14, 2009. Hereafter: CRCL Engagement Team, August 14, 2009.

[36] CRCL, *Newsletter*, vol. 2, no. 1 (September 2011), http://www.aila.org/content/default.aspx?docid 36956. Hereafter: CRCL, *Newsletter*, September 2011.

[37] The mission of the DHS Officer for Civil Rights and Civil Liberties is outlined in 6 U.S.C. 345, http://www.dhs.gov/xabout/structure/editorial_0481.shtm. See DHS, Office of Civil Rights and Civil Liberties, http://www.dhs.gov/xabout/structure/crcl.shtm.

avenues of redress, and promoting appropriate attention within DHS to their experiences and concerns; and

- investigating and resolving civil rights and civil liberties complaints filed by the public.

CRCL has a Community Engagement Section. Recent domestic CVE-related[38] outreach events have been coordinated by CRCL and its Community Engagement Section.[39]

Department of Justice

In addition to the CVE role played by U.S. Attorneys, DOJ's engagement activities largely appear to come from the Civil Rights Division and the Community Relations Service.[40] According to its website, since the terrorist attacks of September 11, 2001 (9/11), the Civil Rights Division of DOJ has prioritized prosecution of bias crimes and discrimination against Muslims, Sikhs, and persons of Arab and South-Asian descent, as well as individuals perceived to be members of these groups. These types of incidents are commonly referred to as "backlash." The division has also educated people in these communities about their rights and available government services.[41] Senior Civil Rights Division officials have met with Muslim, Sikh, Arab, and South Asian community leaders regarding backlash discrimination issues. Like the Civil Rights Division, DOJ's Community Relations Service is involved in outreach. Since 9/11, the service has held meetings around the country to address backlash-related issues.[42]

Federal Bureau of Investigation

The FBI has publicly suggested that since 9/11, it has been formulating an "extensive program" to bolster its relationship with Arab, Muslim, Sikh, and South Asian communities in the United States.[43] In March 2010, the Chief of the Community Relations Unit of the FBI's Office of Public

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[38] Much like CRCL, the Section's mission involves more than CVE. It reaches out to other communities whose issues are not necessarily tied to radicalization.

[39] CRCL, *Fiscal Year 2010 Annual and Consolidated Quarterly Reports to Congress*, September 20, 2011, pp. 14-15, http://www.dhs.gov/xlibrary/assets/crcl-annual-report-fy-2010.pdf; CRCL Engagement Team, August 14, 2009. DHS also provides law enforcement training related to CVE in the United States. With DOJ, DHS has instructed more than 46,000 "front line officers" on suspicious activity reporting. As of September 2011, CRCL taught over 2,000 law enforcement officials in the area of CVE. CRCL CVE training highlights topics such as understanding violent radicalization, cultural awareness, and community engagement. The training was developed "in response to concerns from attendees at community roundtables." See DHS, Fact Sheet, "The Department of Homeland Security's Approach to Countering Violent Extremism," http://www.dhs.gov/files/fact-sheet-approach-to-countering-violent-extremism.pdf DHS. Hereafter: DHS, Fact Sheet. See also: CRCL, *Newsletter*, vol. 1, no. 8 (June 2011), http://www.aila.org/content/default.aspx?docid=36057.

[40] DOJ, "Attorney General Holder Meets."

[41] Civil Rights Division, "Initiative to Combat Post-9/11 Discriminatory Backlash," http://www.justice.gov/crt/legalinfo/discrimupdate.php. Hereafter: Civil Rights Division, "Initiative."

[42] Ibid.; Community Relations Service, *America's Peacemaker, Community Relations Service, U.S. Department of Justice, Annual Report, Fiscal Year 2010*, http://www.justice.gov/crs/pubs/annualreport2010.pdf; DOJ, *Ten Years Later*; Civil Rights Division, "Initiative." See Ondray T. Harris, Director, DOJ Community Relations Service, "Creating Positive Perception of Sikh Identity in the U.S. Public," speech at the 2nd Global Sikh Civil Rights Conference in Toronto, Canada, December 19, 2009, http://www.justice.gov/crs/united-sikhs.pdf.

[43] Scott Atran, *Senate Armed Services Subcommittee on Emerging Threats and Capabilities: Countering Violent Extremism: Statement for the Record, Addendum-2*, 111th Cong., 2nd sess., March 10, 2010, http://armed-services.senate.gov/statemnt/2010/03%20March/Atran%2003-10-10.pdf. Hereafter: Atran Testimony, March 10, 2010.

Affairs testified to Congress that the primary purpose of the agency's outreach program was "to enhance public trust and confidence in the FBI."[44] This involves fostering a positive image of law enforcement among U.S. organizations that have condemned terrorism and violent radicalization. The FBI relies on programs at the field office level to foster interaction with a wide variety of local groups. [45] Also, some FBI field offices have formally interacted with local Muslim communities regarding specific cases.[46] At the national level, FBI headquarters representatives have engaged in liaison with Arab and Muslim American advocacy groups and have regular issue-focused conference calls with community leaders.[47] The FBI is also a member of the Incident Coordination Communications Team managed by DHS CRCL.

Risks and Challenges

Although there is considerable support among public officials for community engagement, some experts warn of significant challenges in the development of programs that foster substantive relationships rather than token discussions or community relations events. A study of policing in Arab American communities sponsored by the National Institute of Justice, for example, highlighted four key obstacles hindering outreach between U.S. Arabs (Christian and Muslim) and law enforcement: "Distrust between Arab communities and law enforcement, lack of cultural awareness among law enforcement officers, language barriers, and concerns about immigration status and fears of deportation."[48]

Terrorism expert Marc Sageman cautions that engagement can be a sign of government focus on Muslim communities when instead it should be stressed that Muslims are Americans just like everyone else.[49] He sees another challenge arise when engagement on the government side is led by federal agencies with law enforcement and intelligence responsibilities. "It can send the message that we are only interested in Muslims because they are potential law breakers. No other foreign or religious communities in the United States get this type of scrutiny."[50]

Outreach may be most effective when U.S. Muslim communities initiate it and community-government contact revolves around countering the extremist messages popular among violent jihadists.[51] Marc Sageman also suggests it would be more appropriate for local authorities, such

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[44] Brett Hovington, *House Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment: Working with Communities to Disrupt Terror Plots: Statement for the Record*, 111th Cong., 2nd sess., March 17, 2010, http://homeland.house.gov/SiteDocuments/20100317103507-03554.pdf. Hereafter: Hovington Testimony, March 17, 2010.

[45] Hovington Testimony, March 17, 2010. See also: FBI, "Building Trust: The Arab, Muslim, and Sikh Advisory Council." June 1, 2009. http://washingtondc.fbi.gov/trust060109.htm.

[46] Hovington Testimony, March 17, 2010.

[47] Atran Testimony, March 10, 2010.

[48] Nicole J. Henderson et al., *Policing in Arab-American Communities After September 11*, National Institute of Justice, Washington, DC, July 2008, p. ii. For the full study, see Nicole J. Henderson et al., *Law Enforcement and Arab American Community Relations After September 11, 2001: Engagement in a Time of Uncertainty*, Vera Institute of Justice, New York, NY, June 2006, http://www.vera.org/policerelations. As its title clearly suggests, this project examined the experiences of Arab-Americans, two thirds of whom are Christian.

[49] Discussion with CRS, April 7, 2010. Sageman is an independent researcher on terrorism, founder of Sageman Consulting, LLC, and author of *Leaderless Jihad: Terror Networks in the Twenty-First Century* (University of Pennsylvania Press, 2008).

[50] Ibid.

[51] Gartenstein-Ross and Grossman, *Homegrown Terrorists in the U.S. and U.K.*, p. 60.

as a mayor's office, to perform the engagement role because they know these communities better than federal officials.

The Tension Between Enforcement and Engagement Activities

An inherent challenge to building trust and partnership involves law enforcement investigative activities and tactics that can be perceived to unfairly target law-abiding citizens or infringe on speech, religion, assembly, or due process rights. This challenge highlights how government counterterrorism work in the secretive operational realm depicted in **Figure 1** can influence engagement conducted in the open marketplace of ideas. If a community views government counterterrorism investigative activity as overly aggressive, it may not willingly cooperate in engagement programs. One expert has noted that "counter-radicalization is not about intelligence-gathering nor is it primarily about policing."[52] The HSAC Countering Violent Extremism Working Group found that

> There can be tension between those involved in law enforcement investigations and those collaborating to establish local partnerships to stop violent crime. Community policing can be impeded if other enforcement tactics are perceived as conflicting with community partnership efforts.[53]

This challenge is evident in some public discussions of law enforcement surveillance activities and efforts to recruit and manage informants. Revelations that the NYPD engaged in surveillance of mosques, Muslim businesses, and Muslim college students in New Jersey and elsewhere in 2006 and 2007 have prompted concern among a number of community groups and civil libertarians.[54] The FBI's top official in New Jersey suggested that such activities undermined the bureau's efforts at community engagement.[55] While New York City Mayor Michael Bloomberg and others defended the legality of such activities, some New Jersey officials have complained that the NYPD had not effectively coordinated efforts with them.[56] Other former law enforcement officials in New Jersey believed that appropriate cooperation occurred.[57] Also, as announced in May 2012, a fact-finding review conducted by New Jersey's Office of the Attorney General "revealed no evidence … that NYPD's activities in the state violated New Jersey civil or criminal laws."[58]

In pursuing a community engagement strategy, the use of informants can be a controversial issue, especially when law enforcement officials rely on informants with criminal records who may be

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[52] Neumann, *Preventing Violent Radicalization.*, p. 19.

[53] HSAC CVE Working Group, Spring 2010, p 6.

[54] Samantha Henry, "NJ Muslims, Officials Discuss NYPD Surveillance," *Associated Press,* March 3, 2012. Hereafter: Henry "NJ Muslims, Officials." Chris Hawley, NYPD Monitored Muslim Students All Over Northeast," *Associated Press,* February 18, 2012.

[55] Samantha Henry, "NJ FBI Says NYPD Monitoring Damaged Muslims' Trust." *Associated Press*, March 8, 2012.

[56] Henry, "NJ Muslims, Officials;" Jason Grant, "Recent NYPD Spying Uproar Shakes FBI's Foundations in N.J. Terror Intelligence," *Star-Ledger,* March 7, 2012, http://www.nj.com/news/index.ssf/2012/03/recent_nypd_spying_uproar_shak.html.

[57] Christopher Baxter, "Secret NYPD Surveillance in N.J. Was Not So Secret, Former Officials Say," *Star-Ledger*, March 6, 2012, http://www.nj.com/news/index.ssf/2012/03/secret_nypd_surveillance_in_nj.html.

[58] New Jersey Office of the Attorney General, press release, "Office of the Attorney General Takes Steps to Address Out-of-State Law Enforcement Activity in New Jersey Following Fact-Finding Review," May 24, 2012, http://www.nj.gov/oag/newsreleases12/pr20120524b.html.

working on behalf of authorities in exchange for reduced jail time. One Muslim community leader who has published widely on domestic terrorism, states that "many Muslim Americans fear that paid FBI informants specifically target impressionable youth and that law enforcement agents coerce community members to become informants themselves to avoid complications with immigration procedures."[59] Confidential informants have been used in post-9/11 violent jihadist cases occurring in the United States. In some of those cases, the informants had criminal histories. The use of informants poses the following risks:

> Informants do not merely observe and collect data. They make things happen.... Informants can cause confusion and dissatisfaction among members of groups and communities they infiltrate, discrediting leaders, and fostering factionalism as people wonder if any of their colleagues are spies. Their handlers' structure of incentives—raises, promotions, transfers, financial rewards, waived jail time—creates a system where informants consciously or subconsciously create and then destroy terrorist threats that would not otherwise exist. These pressures can push them from passive observer to aggressive actor, with serious consequences for constitutionally protected free speech. Another unplanned result: government loses legitimacy and support in the eyes of targeted communities, if they feel they have been manipulated.[60]

Acknowledging the challenge, FBI Director Robert Mueller said in 2009, "Oftentimes, the communities from which we need the most help are those who trust us the least. But it is in these communities that we ... must redouble our efforts."[61] Also in 2009, then-FBI spokesman John Miller said the agency values its relationships with Muslims and has worked hard on outreach efforts that range from town hall meetings to diversity training for FBI agents.[62] Miller said there

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[59] Alejandro J. Beutel, "Muslim Americans and U.S. Law Enforcement: Not Enemies, But Vital Partners," *The Christian Science Monitor*, December 30, 2009, http://www.csmonitor.com/Commentary/Opinion/2009/1230/Muslim-Americans-and-US-law-enforcement-not-enemies-but-vital-partners. For more information on controversies surrounding informants, see Peter Finn, "Documents Provide Rare Insight Into FBI's Terrorism Stings, *Washington Post*, April 13, 2012, http://www.washingtonpost.com/world/national-security/documents-provide-rare-insight-into-fbis-terrorism-stings/2012/04/13/gIQASJ6CGT_story.html; Jerry Markon, "Lawsuit Alleges FBI Violated Muslims' Freedom of Religion," *Washington Post*, February 22, 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/22/AR2011022206975.html; Jerry Markon, "Mosque Infiltration Feeds Muslims' Distrust of FBI," *Washington Post*, December 5, 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/12/04/AR2010120403720.html; Salvador Hernandez, "Release Terms Eased for Man Accused of Lying About Alleged Terrorist Ties," *The Orange County Register*, June 11, 2010, http://www.ocregister.com/articles/niazi-252994-fbi-case.html?pic=1; Trevor Aronson, "FBI Tries to Deport Muslim Man for Refusing to be an Informant," *miaminewtimes.com*, Oct 8, 2009, http://www.miaminewtimes.com/2009-10-08/news/unholy-war-fbi-tries-to-deport-north-miami-beach-imam-foad-farahi-for-refusing-to-be-an-informant/; "FBI Creates Climate of Fear," *Orange County Register*, Editorial, March 22, 2009, http://www.ocregister.com/articles/fbi-18893-ocprint-fear-.html; Teresa Watanabe and Paloma Esquivel, "L.A. Area Muslims Say FBI Surveillance Has a Chilling Effect on Their Free Speech and Religious Practices," *Los Angeles Times*, March 1, 2009, http://articles.latimes.com/2009/mar/01/local/me-muslim1. Hereafter: Watanabe and Esquivel, March 1, 2009. Thomas Cincotta, "From Movements to Mosques, Informants Endanger Democracy," *The Public Eye*, summer 2009, http://www.publiceye.org/magazine/v24n2/movements-to-mosques.html. Hereafter: Cincotta, "From Movements to Mosques." Lee Romney, "Immigrant Says FBI Tried Threats to Make Him Spy," *Los Angeles Times*, August 12, 2006; http://www.chron.com/disp/story.mpl/front/4112103.html. Peter Waldman, "A Muslim's Choice: Turn U.S. Informant or Risk Losing Visa," *Wall Street Journal*, July 11, 2006, http://www.legalsanctuary.org/doc/article13970.pdf.

[60] Cincotta, "From Movements to Mosques."

[61] Quoted in Matthai Kuruvila, "U.S. Muslims Debate How Much to Help FBI," *San Francisco Chronicle*, April 6, 2009, http://articles.sfgate.com/2009-04-06/news/17193854_1_american-muslim-taskforce-muslim-community-american-islamic-relations.

[62] Quoted in Samantha Henry, "Some Muslims Rethink Close Ties to Law Enforcement," *Associated Press*, May 4, 2009, http://www.breitbart.com/article.php?id=D97VH09O0&show_article=1.

is no factual basis for claims the FBI infiltrates mosques or conducts blanket surveillance of Muslim leaders. "Based on information of a threat of violence or a crime, we investigate individuals, and those investigations may take us to the places those individuals go."[63]

Former FBI agents and federal prosecutors note that informants are "still one of the government's best weapons to thwart terrorists and that the benefit to national security is likely to far outweigh any embarrassment to the agency." They claim that "although the law places almost no constraints on the use of informants, the agency takes sending an informant into a mosque very seriously and imposes a higher threshold for such requests."[64] Former FBI counterterrorism Chief Robert Blitzer, states that "What matters to the FBI is preventing a massive attack that might be planned by some people ... using the mosque or church as a shield because they believe they're safe there. That is what the American people want the FBI to do. They don't want some type of attack happening on U.S. soil because the FBI didn't act on information."[65]

Maher Hathout from the Muslim Public Affairs Council counters by saying that "People cannot be suspects and partners at the same time. Unless the FBI's style changes, the partnership with the Muslim community will not be fruitful."[66] The HSAC's CVE Working Group also cautions that "Law enforcement should be sensitive to the fact that perceptions regarding enforcement actions and intelligence gathering can impact community-oriented policing goals."[67] In considering the tradeoff between security and liberty, policy makers face a choice in those cases where an investigative tactic might inflame members of a particular community: Is the impact of that tactic counterproductive in the long run, or is it necessary, short-term collateral damage?

U.S. Attorneys as Brokers

As mentioned elsewhere in this report, DOJ has pushed the U.S. Attorneys to become larger players in community outreach. This suggests a critical question: is it appropriate to have the nation's principal litigators be key players in the federal government's CVE outreach efforts? Can the same people responsible for prosecuting terrorism cases effectively broker trust among community members who may be wary of federal law enforcement? Maintaining the integrity of this dualistic U.S. Attorney role—chief terrorism litigators v. federal outreach coordinators—may be challenging in the implementation of the strategy.

Legitimacy and Litmus Tests

Given their role in federal CVE engagement, U.S. Attorneys have to selectively cooperate with groups at the local level. Identifying specific groups for outreach may be challenging. There is

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[63] Ibid. In March 2012, the American Civil Liberties Union (ACLU) asserted that the FBI had used outreach efforts at mosques in California to gather intelligence. Much of the outreach activity critiqued by the ACLU occurred several years ago. FBI denied that the outreach was used to gather intelligence. See http://www.aclu.org/files/assets/aclu_eye_on_the_fbi_-_mosque_outreach_03272012_0.pdf; Dan Levine, "FBI Said to Have Gathered Intelligence on California Muslims," *Reuters*, March 27, 2012, http://www.reuters.com/article/2012/03/28/us-usa-california-muslims-idUSBRE82R00Y20120328.

[64] Gillian Flaccus, "Calif. Case Highlights Use of Mosque Informants," *Associated Press*, March 1 2009, http://www.breitbart.com/article.php?id=D96LD2A81&show_article=1.

[65] Ibid.

[66] Watanabe and Esquivel, March 1, 2009.

[67] HSAC CVE Working Group, Spring 2010, p. 6.

little consensus among American Muslims regarding national advocacy groups: "many Muslims do not feel there is a national Muslim-American organization that represents them. When asked which of a list of national Muslim-American organizations represents their interests, 55% of Muslim men and 42% of Muslim women say that none do."[68]

The U.S. government can affect the legitimacy of community actors simply by choosing them as outreach partners. It is unclear how U.S. Attorneys will select the groups with which they will work. To this end, will the U.S. government establish litmus tests regarding federal interaction with community groups? What role will law enforcement considerations—potentially choosing only groups that have cooperated with FBI investigations by offering leads or providing informants, for example—play in the selection of community partners? Will federal investigators scour the backgrounds of groups prior to engaging with them?

When selecting engagement partners, DOJ has made at least one very public choice that was driven by law enforcement or prosecutorial considerations. The FBI and DOJ have limited their ties to the Council on American-Islamic Relations (CAIR), because DOJ listed the group as an unindicted co-conspirator in a federal terrorism case.[69] This is an example of the dynamics described in **Figure 1**—the secretive (operational) realm driving community engagement activity in the marketplace of ideas. In November 2008, the Holy Land Foundation for Relief and Development and five of its leaders were convicted of providing material support to Hamas, a designated foreign terrorist organization.[70] CAIR has opposed its listing as an unindicted co-conspirator. The listing is not a formal criminal charge, and subsequent terrorism charges have not been brought against CAIR.[71] In spite of all of this, CAIR, a well-known Muslim advocacy group, maintains working relationships with local law enforcement officials.[72]

Fusion Centers and Community Engagement—Potentially Alleviating Tensions

The CVE strategy mentions the role of the national network of fusion centers[73] in alleviating tension between the government's investigative and engagement activities. Fusion centers play a

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[68] *Muslim Americans: Faith, Freedom, and the Future; Examining U.S. Muslims' Political, Social, and Spiritual Engagement 10 Years After September 11*, Abu Dhabi Gallup Center, August 2011, p. 25, http://www.abudhabigallupcenter.com/148778/REPORT-BILINGUAL-Muslim-Americans-Faith-Freedom-Future.aspx. Hereafter: *Muslim Americans: Faith, Freedom, and the Future.*

[69] Letter from Richard C. Powers, FBI Assistant Director, to U.S. Senator Jon Kyl, April 28, 2009.

[70] Transcript of Hearing, "Rep. Frank R. Wolf Holds a Hearing on Justice Department Budget," *Political Transcript Wire*, March 1, 2012; DOJ, press release, "Federal Judge Hands Downs Sentences in Holy Land Foundation Case," May 27, 2009, http://www.justice.gov/opa/pr/2009/May/09-nsd-519.html. For more on CAIR's origins and relationship with the U.S. government, see Lorenzo Vidino, *The New Muslim Brotherhood in the West* (New York: Columbia University Press, 2010), pp. 177-197. In the fall of 2008, the FBI limited its interactions with CAIR.

[71] CAIR, press release, "Top Internet Disinformation About CAIR," http://www.cair.com/Portals/0/pdf/Dispelling_Rumors_about_CAIR.pdf.

[72] Scott Shane, "Congressional Hearing Puts Muslim Civil Rights Group in the Hot Seat Again," *New York Times*, March 11, 2011, http://www.nytimes.com/2011/03/12/us/politics/12muslims.html?scp=3&sq=&st=nyt.

[73] DHS recognizes a national network of state and local intelligence fusion centers. The network consists of centers that function as "collaborative effort[s] of two or more agencies that provide resources, expertise, and information ... with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity." See *Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era*, August 2006, p. 12. http://it.ojp.gov/documents/fusion_center_guidelines_law_enforcement.pdf. For a list of fusion centers, see Department of Homeland Security, "Fusion Center Locations and Contact Information," February 22, 2012, http://www.dhs.gov/files/programs/gc_1301685827335.shtm.

part in reporting suspicious, terrorism-related activity nationwide, perhaps potentially causing some tension between communities and law enforcement.[74] The strategy and the SIP mention the Building Communities of Trust Initiative (BCOT) as a project fostering relationships among three sets of actors—fusion centers, law enforcement, and the communities in which they operate.[75] This type of outreach potentially informs local communities about how suspicious activity suggestive of terrorism is reported to law enforcement and how police protect civil rights and liberties as they look for such activity.[76] The initiative's recommendations included items such as

- training of fusion center analysts in cultural sensitivity so that they can distinguish behavior that is constitutionally protected from criminal or terrorist activity;
- encouraging law enforcement to "embrace" community policing by "emphasizing partnerships and problem solving"; and
- encouraging communities to view information sharing with fusion centers and law enforcement as key to crime prevention and counterterrorism.[77]

Building Government and Law Enforcement Expertise

The SIP emphasizes three key items in this area. First, the plan notes that the U.S. government has to improve its understanding of radicalization via research, analysis, and partnerships. Second, greater sharing of information among state, local, and federal agencies regarding terrorist recruitment and radicalization is necessary.[78] Third, the SIP notes that the federal government has to improve the radicalization-related training offered to federal, state, and local agencies.

Paramount among the federal government's efforts to improve its understanding of CVE are efforts to study the radicalization process and identify radicalizing individuals. To this end, as of March 2012, the National Institute of Justice included research on domestic radicalization in its preliminary list of forthcoming funding opportunities.[79] The Science and Technology Directorate (S&T) within DHS has also pursued the topic. The Department claims that since 2009, S&T has developed more than 20 reports in this area.[80] To help identify radicalizing individuals, DHS, the FBI, and the National Counterterrorism Center (NCTC) produced a study of homegrown terrorists, which reportedly teased out warning signs of radicalization. The study was discussed by senior federal, state, and local law enforcement officials at the White House in January 2012.[81] Along these same lines, in July 2011, NCTC released findings resulting from an interagency study of homegrown terrorists. This study was not made public officially, but a summary of its findings is available online. It describes four "mobilizing patterns" among extremists. These include "links to known extremists, ideological commitment to extremism, international travel,

[74] For more on suspicious activity reporting see CRS Report R40901, *Terrorism Information Sharing and the Nationwide Suspicious Activity Report Initiative: Background and Issues for Congress*, by Jerome P. Bjelopera.

[75] See Robert Wasserman, *Guidance for Building Communities of Trust*, July 2010, pp. 4-5, http://nsi.ncirc.gov/documents/c071021293_BuildingCommTrust_v2-August%2016.pdf. Hereafter: Wasserman, *Guidance for Building*.

[76] *Strategic Implementation Plan*, p. 9.

[77] Wasserman, *Guidance for Building*, pp. 4-5.

[78] *Strategic Implementation Plan*, pp. 12-18.

[79] See http://www.nij.gov/nij/funding/forthcoming.htm. For the Congressional appropriation see P.L. 112-55, p. 615.

[80] DHS, Fact Sheet, p. 2.

[81] Eileen Sullivan, "Police Chiefs Meet at WH on Homegrown Terror Fight," *Associated Press*, January 18, 2012.

and pursuit of weapons and associated training."[82] It also emphasized an approach to understanding and assessing radicalization via analysis of behavioral indicators.[83]

The SIP also calls for enhanced information sharing between federal, state, and local law enforcement. Prior to late 2011, these efforts largely revolved around disseminating information to and briefing state and local officials. Such activity included the development of case studies examining the experiences of known and suspected terrorists.[84] This was recommended in 2010 by the HSAC.[85] In February 2011 congressional testimony, DHS Secretary, Janet Napolitano remarked that DHS develops these *unclassified* case studies so

> that state and local law enforcement, state and local governments, and community members can understand the warning signs that could indicate a developing terrorist attack. These case studies focus on common behaviors and indicators regarding violent extremism to increase overall situational awareness and provide law enforcement with information on tactics, techniques, and plans of international and domestic terrorists.[86]

Napolitano went on to note that DHS conducted what she dubbed "deep dive sessions" regarding CVE issues with local police intelligence experts—providing them with information they could pass to subordinates.[87]

Additionally, the SIP notes that the federal government will enhance the radicalization-related training offered to federal, state, and local agencies. It argues that this is necessary because of "a small number of instances of federally sponsored or funded CVE-related and counterterrorism training that used offensive and inaccurate information."[88] In March 2011, news reports and a study suggested that state and local law enforcement officials were receiving poor counterterrorism training from unqualified instructors, often from the private sector.[89] Furthermore, news reports indicated that offensive material produced by an FBI employee was delivered in a variety of official training sessions up until August 2011.[90] These revelations led to concerns from public officials and advocacy groups regarding training standards used by the bureau.[91] In addition, reportedly biased material had seeped into the training made available to Joint Terrorism Task Force[92] officers via a secure computer network.[93]

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[82] National Counterterrorism Center, "Behavioral Indicators Offer Insights for Spotting Extremists Mobilizing for Violence, July 22, 2011, p. 1.

[83] Ibid.

[84] *Strategic Implementation Plan*, p. 14.

[85] HSAC CVE Working Group, Spring 2010, p. 20.

[86] U.S. Congress, House of Representatives Committee on Homeland Security, Written Testimony of Janet Napolitano, Secretary of the Department of Homeland Security, "Understanding the Homeland Threat Landscape –Considerations for the 112th Congress," 112th Cong., 1st sess., February 9, 2011, p. 5.

[87] Ibid.

[88] *Strategic Implementation Plan*, p. 15.

[89] Dina Temple-Raston, "New Concern About Bias In Counterterror Training," *National Public Radio*, March 9, 2011, http://www.npr.org/2011/03/09/134374232/new-concern-about-bias-in-counterterror-training?ps=rs; Thomas Cincotta, *Manufacturing the Muslim Menace: Private Firms, Public Servants, and the Threat to Rights and Security*, 2011, Public Research Associates, http://www.publiceye.org/liberty/training/Muslim_Menace_Complete.pdf.

[90] Spencer Ackerman and Noah Shachtman, "Video: FBI Trainer Says Forget 'Irrelevant' al-Qaida, Target Islam," *Wired*, September 20, 2011, http://www.wired.com/dangerroom/2011/09/fbi-islam-qaida-irrelevant/all/1.

[91] Letter from Sen. Joseph I. Lieberman and Sen. Susan M. Collins, to Eric H. Holder, Jr., Attorney General, and Janet Napolitano, Secretary of Homeland Security, March 29, 2011, http://www.hsgac.senate.gov/reports/letters. For an (continued...)

In the midst of these revelations, in September 2011 the bureau announced a review

> of all training and reference materials that relate in any way to religion or culture. Additionally, the FBI will consult with outside experts on the development and use of training materials to best ensure the highest level of quality for new agent training, continuing education for all employees, and any FBI-affiliated training. All training will be consistent with FBI core values, the highest professional standards, and adherence to the Constitution.[94]

DOJ announced a similar review in September 2011 as well.[95] Less than one percent of the material inspected was found to be inaccurate or inappropriate.[96] In October 2011, the White House ordered a broader examination of CVE instructional efforts within the federal government.[97] In the same month, DHS released guidance and best practices for CVE training. These highlighted five commonsense goals:

1. Trainers and training should be expert and well-regarded.
2. Training should be sensitive to constitutional values.
3. Training should facilitate further dialog and learning.
4. Training should adhere to government standards and efforts.
5. Training and objectives should be appropriately tailored, focused, and supported.[98]

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example of concerns voiced by advocacy groups see Letter from American Civil Liberties Union et al., to Robert S. Mueller, III, Director, Federal Bureau of Investigation, October 4, 2011, http://www.aclu.org/files/assets/sign_on_letter_to_dir_mueller_re_radicalization_report_10.4.11.pdf. Some Members of Congress also wrote to Attorney General Eric H. Holder, Jr. and Secretary of Defense, Leon E. Panetta regarding potential censorship of training material after the fallout surrounding the FBI's training efforts. See Letter from Rep. Sue Myrick et al. to Eric H. Holder, Jr., Attorney General, and Leon E. Panetta, Secretary of Defense, December 15, 2011, http://myrick.house.gov/uploads/12152011_Letter%20to%20DOJ%20and%20DOD%20re%20CT%20training%20changes.pdf.

[92] Joint Terrorism Task Forces (JTTFs) are locally based, multi-agency teams of investigators, analysts, linguists, SWAT experts, and other specialists who investigate terrorism and terrorism-related crimes. Seventy-one of the more than 100 JTTFs currently operated by DOJ and the FBI were created since 9/11. Over 4,400 federal, state, and local law enforcement officers and agents—more than four times the pre-9/11 total—work in them. These officers and agents come from more than 600 state and local agencies and 50 federal agencies. See Federal Bureau of Investigation, "Protecting America from Terrorist Attack: Our Joint Terrorism Task Forces," http://www.fbi.gov/about-us/investigate/terrorism/terrorism_jttfs.

[93] Spencer Ackerman, "Obama Orders Government to Clean Up Terror Training," *Wired,* November 29, 2011, http://www.wired.com/dangerroom/2011/11/obama-islamophobia-review/. Hereafter: Ackerman, "Obama Orders."

[94] FBI, press release, "FBI Launches Comprehensive Review of Training Program," September 20, 2011, http://www.fbi.gov/news/pressrel/press-releases/fbi-launches-comprehensive-review-of-training-program.

[95] James M. Cole, Deputy Attorney General, memorandum for heads of DOJ components and United States Attorneys, "Training Guiding Principles," March 20, 2012, http://www.justice.gov/dag/training-guiding-principles.pdf. Hereafter, Cole, memorandum.

[96] Letter from Greg Fowler, Special Agent in Charge, FBI Portland Division, to Community Partners, March 28, 2012, http://www.fbi.gov/portland/news-and-outreach/stories/letter-to-community-partners?utm_campaign=email-Immediate&utm_medium=email&utm_source=portland-top-stories&utm_content=83167.

[97] Ackerman, "Obama Orders."

[98] CRCL, *Countering Violent Extremism (CVE) Training Guidance and Best Practices,* 2011, http://training.fema.gov/(continued...)

The same document notes that CVE education programs differ from strictly counterterrorism training (the latter presumably centered on topics such as terrorist threats, vulnerabilities, and trends in terrorism). CVE training focuses "on developing trust, enhancing community resiliency, prevention, intervention, and protecting civil rights and civil liberties."[99] In March 2012, DOJ and FBI released their own sets of training principles that parallel DHS's goals.[100]

Risks and Challenges

Development of better training and improved information sharing are laudable law enforcement goals. However, because such efforts feature so prominently in the second SIP objective, its overall thrust may be perceived to be more about classic preventative policing than about countering radicalization at the grass-roots level. It is unclear how much of the activity described under this objective directly fits into the Administration's emphasis on "a community based" CVE approach.[101]

There is space in the CVE strategy for training law enforcement about constitutionally protected aspects of the radicalization process—in other words, efforts to train police to understand when suspects go from being law-abiding radicals to being terrorists. However, the SIP itself does not offer any formal means for federal, state, or local law enforcement to cope with radicalizing individuals outside of their traditional areas of expertise—investigation, arrest, and prosecution. The SIP does not outline mechanisms for law enforcement to refer radicalizing individuals for community intervention (whatever that might mean within a local context). Without such a process, police can become very adept at identifying radicalization and yet be only able to cope with a radicalized individual when he or she mobilizes and becomes a terrorism suspect. One of the risks implicit in this SIP objective is that it may sharpen police ability to investigate terrorists, without improving their ability to intervene with radicalizing individuals.

If the SIP's efforts to improve law enforcement training mostly enhance the ability of police to detain suspects and provide no other means for coping with radicalization, then these elements of the strategy might be better described as counterterrorism in nature, not part of the nation's counter-radicalization strategy.

The Issue of Openness

Should the federal government be concerned about the over-classification of radicalization-related research and training material by the security agencies involved in its development? The SIP's second objective is an area in which a great deal of activity can occur behind closed doors

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EMIWeb/docs/shared/CVE%20Training%20Guidance.pdf. Hereafter: CRCL, *Training Guidance.* The Federal Emergency Management Agency (FEMA) also issued a bulletin regarding the same issues. FEMA grants can be used for CVE training. See FEMA, *Grant Programs Directorate Information Bulletin,* October 7, 2011, http://www.fema.gov/pdf/government/grant/bulletins/info373.pdf.

[99] CRCL, *Training Guidance.* DHS defines "resiliency" as the "ability to resist, absorb, recover from or successfully adapt to adversity or a change in conditions." See; HSAC, Community Resilience Task Force Recommendations," June 2011, p. 8, http://www.dhs.gov/xlibrary/assets/hsac-community-resilience-task-force-recommendations-072011.pdf.

[100] Cole, memorandum; FBI, *The FBI's Guiding Principles: Touchstone Document on Training 2012,* March 2012, http://www.fbi.gov/about-us/training/the-fbis-guiding-principles.

[101] *Empowering Local Partners,* p. 2.

(within the secretive realm described in **Figure 1**), especially if the objective largely involves security, intelligence, and law enforcement agencies that typically avoid public disclosure of much of their other work. *However*, the steps involved in the radicalization process involve largely constitutionally-protected activity that occurs in the public sphere. Excessive secretiveness regarding government efforts to understand the legally protected activities of Americans might actually fuel radicalization. For example, one study by a British think tank has suggested that conspiracy theories "are a reaction to the lack of transparency and openness in many of our [U.K.]institutions." This same study sees conspiracies as a "radicalizing multiplier."[102] Could this be possible in the United States?

A project developed as part of the second SIP objective was not widely released. The study of radicalization among homegrown violent extremists performed by DHS, NCTC, and the FBI—mentioned above—was revealed to state and local law enforcement behind closed doors at the White House. This example poses the question: can the federal government build trust within local communities if it holds back from the general public its own study of how people in the United States radicalized and became terrorists? Will secretiveness in this area actually feed radical narratives?

Additionally, will excessively secret government efforts to understand radicalization shake community trust in law enforcement? Federal attempts to develop *classified* theories about legally-protected activities may make community groups less willing to "share" information regarding those very activities—*especially if that information is treated strictly as intelligence by the government and the results of such "sharing" are never seen*. Transparency in this arena potentially opens government conceptualizations of radicalization and federal training materials to the scrutiny of outside experts. It is unclear what sway partnerships with non-government experts will have in the SIP's second objective.

Talking about Ideology

Ideology is a key ingredient in the radicalization experience. It is unclear how the CVE Training Guidance issued by DHS accommodates discussion of ideology within an instructional environment. In fact, under one of its goals: "Training should be sensitive to constitutional values," the guidance indicates that "Training should focus on behavior, not appearance or membership in particular ethnic or religious communities," yet it is silent regarding radical ideologies. Should instructors focus on ideology? How should instructors discuss radical beliefs in the classroom?

Countering Violent Extremist Propaganda

The SIP notes that countering violent extremist propaganda is "the most challenging area of work, requiring careful consideration of a number of legal issues, especially those related to the First Amendment."[103] In this area the document highlights NCTC's efforts to develop a "Community Awareness Briefing." In 2010, NCTC's Director described the briefing in testimony to the Senate Homeland Security and Governmental Affairs Committee:

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[102] Jamie Bartlett and Carl Miller, *The Power of Unreason: Conspiracy Theories, Extremism, and Counter-Terrorism*, Demos, London, August 29, 2010, pp. 21, 39.

[103] Ibid., p. 18.

> It has become clear that government can play a significant role by acting as a convener and facilitator that informs and supports—but does not direct—community-led initiatives. Based on this, NCTC led the development of a Community Awareness Briefing that conveys unclassified information about the realities of terrorist recruitment in the Homeland and on the Internet. The briefing, which can be used by departments and agencies and has garnered very positive reactions, aims to educate and empower parents and community leaders to combat violent extremist narratives and recruitment.[104]

NCTC has also connected community activists with technology experts in a seminar to "maximize the use of technology to counter violent extremism online" and the Department of State has developed exchanges between foreign CVE experts and U.S. communities.[105] The SIP did not indicate any additional "current activity" in late 2011 to counter violent extremist propaganda other than working to inform the media, policy makers and U.S. communities on the issue. It does mention the development of a separate strategy for the digital environment.[106]

Risks and Challenges

The SIP notes that government efforts to counter narratives that foster radicalization should affirm American unity and bolster community capacities to "contest violent extremist ideas." The document stresses the importance of First Amendment concerns in this area.[107]

Aside from First Amendment issues, a challenge in this area might revolve around the perceived legitimacy of the main agencies the Administration selects for its implementation efforts. If security agencies trawling the internet for potential suspects lead the charge in fostering a counter-narrative, will American Muslims see these efforts as legitimate?[108] How willing will they be to partner with FBI, DOJ, NCTC, and DHS to further this SIP goal?

One area in which these agencies may be able to leverage their reputations as part of the U.S. counterterrorism apparatus, build rapport within communities, and possibly forward efforts to counter extremist propaganda, involves personal online security. They can provide training regarding safe Internet navigation, how to avoid criminals online as well as websites sponsored by officially listed foreign terrorist organizations. They can talk to communities about what types of online activities prosecuted terrorists pursued, especially those activities documented in court proceedings and government press releases.

Administration Plan and Future Activities

The SIP lists "future activities and efforts" under its three objectives. **Figure 2**, **Figure 3**, and **Figure 4** each cover a single SIP objective. They depict the lead federal agencies responsible for

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[104] Written Statement of Michael Leiter; Director, National Counterterrorism Center; U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, *Nine Years after 9/11: Confronting the Terrorist Threat to the Homeland*, 111th Cong., 2nd sess., September 22, 2010, p. 8.

[105] *Strategic Implementation Plan*, p. 19.

[106] Ibid., p. 20.

[107] Ibid., p. 18.

[108] See CRS Report R42406, *Congressional Oversight of Agency Public Communications: Implications of Agency New Media Use*, by Kevin R. Kosar, for information regarding Congress's role in oversight of federal public communications activities.

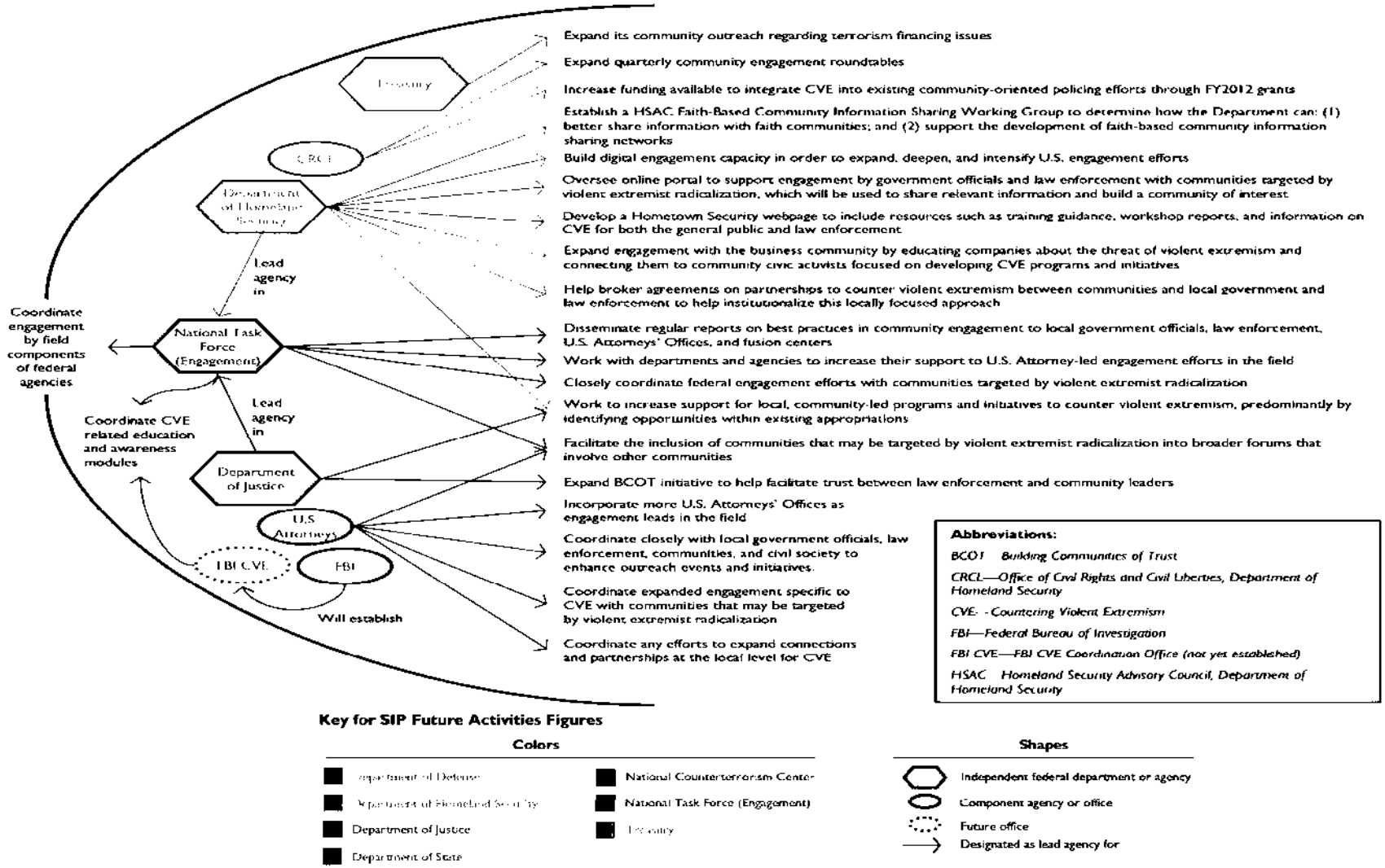
the future activities and efforts subsumed by the relevant objective, and more than one agency can serve as a lead for a particular effort. For the sake of clarity, the figures do not depict partner agencies playing secondary roles and assisting the lead agencies in particular activities. The language used for each of the future activities and efforts in the three figures extensively paraphrases or directly quotes the language used in the SIP. Additionally, the three figures do not include all of the component agencies of specific executive departments. Only the component agencies responsible for future activities and efforts under each SIP objective are included.

Is DHS the De Facto U.S. CVE Lead Agency?

It appears that DHS is cited as a lead agency in 43 of the 62 future activities and efforts discussed in the SIP.[109] Because it is a key player and decision maker in more than two-thirds of the SIP's impending plans, it seems that DHS may be the de facto lead agency in charge of U.S. CVE activity in the near future. This suggests a critical issue: while granted a large amount of responsibility for implementation of the CVE strategy, will DHS have a matching level of say in its further evolution?

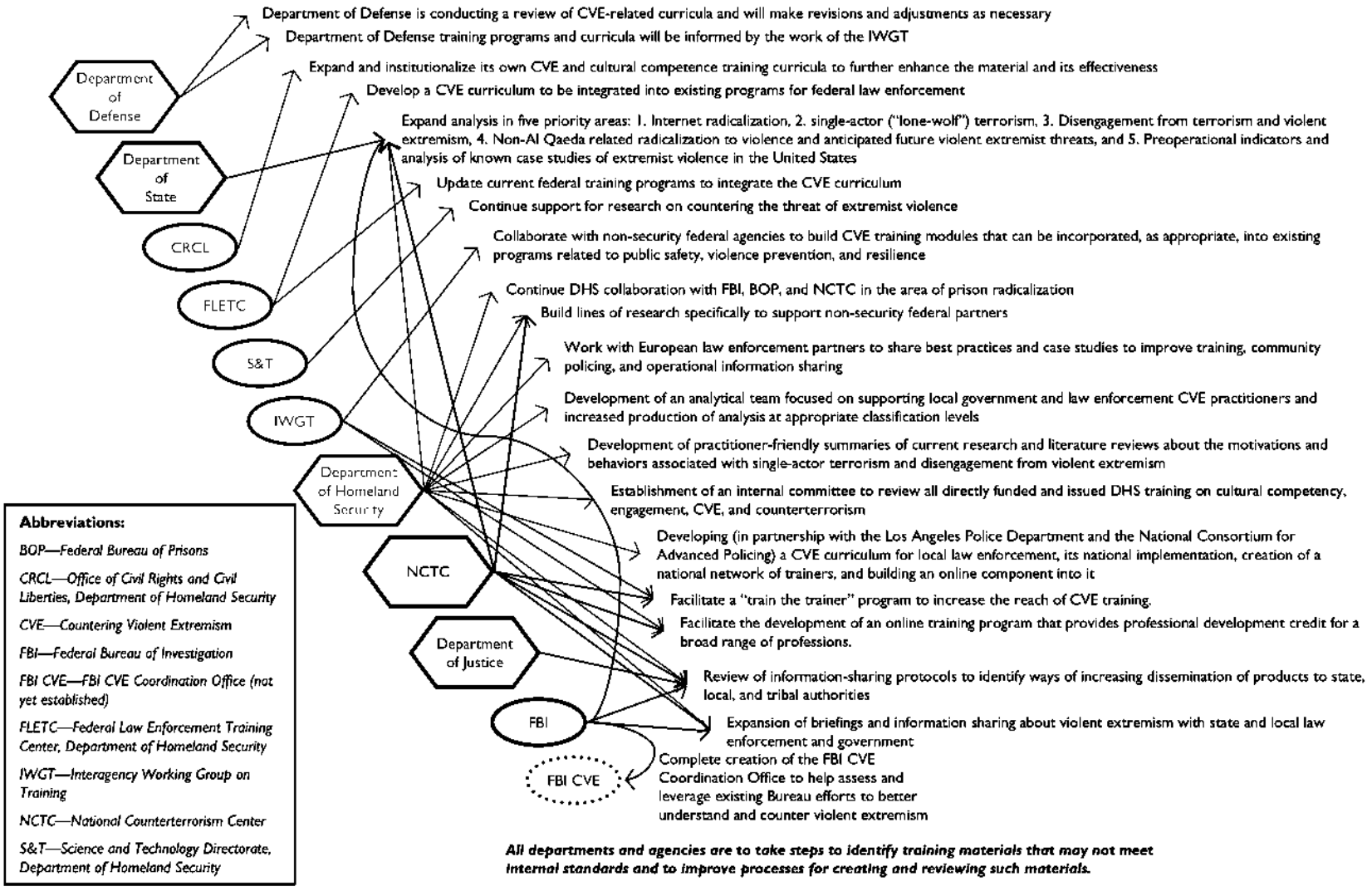
[109] This count includes four responsibilities given to the National Task Force for engagement under the SIP. Both DHS and DOJ are lead agencies in the task force.

Figure 2. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 1, *Enhancing Federal Engagement and Support to Local Communities that may be Targeted by Violent Extremists*



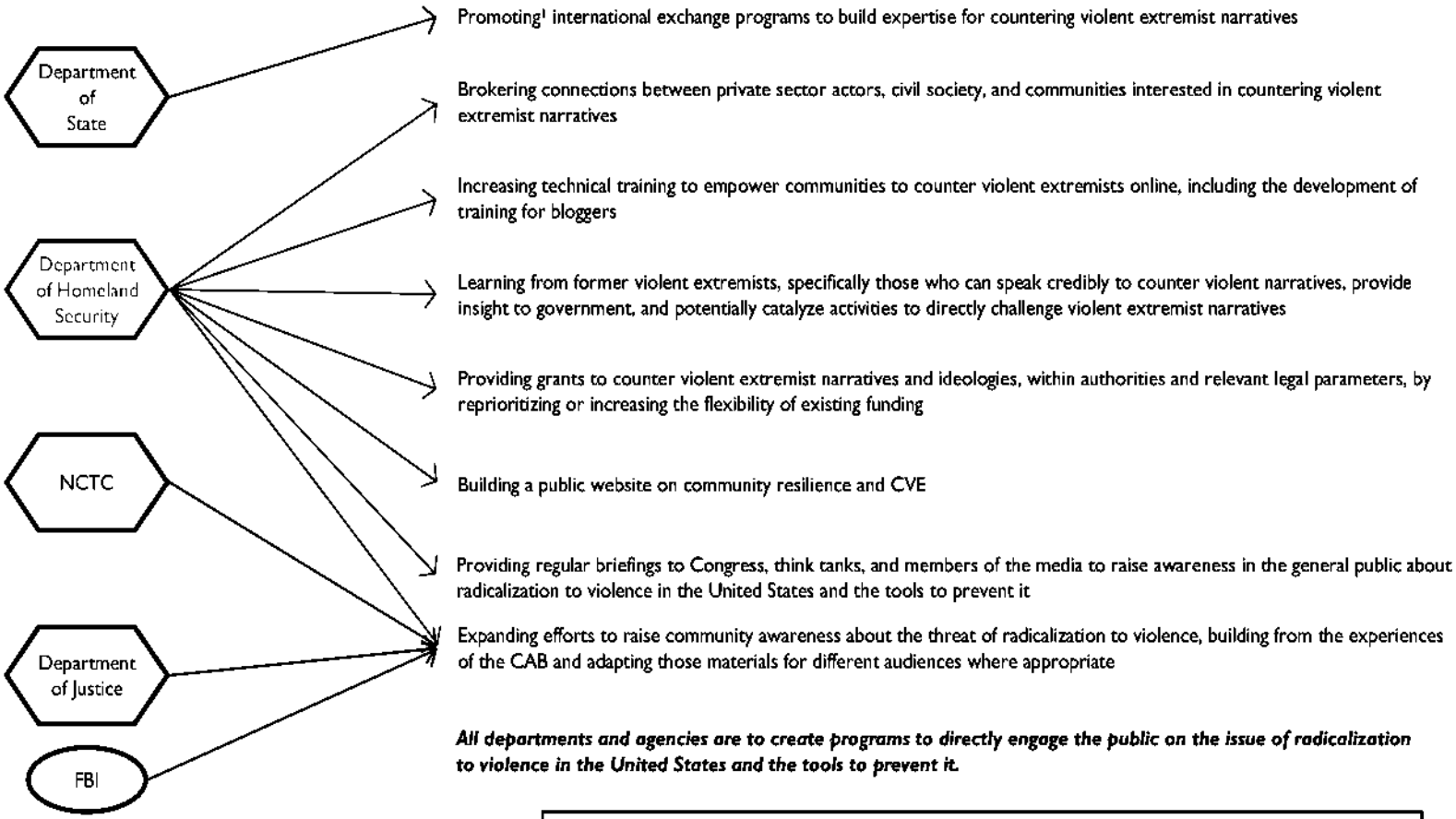
Source: CRS, based on materials contained in the SIP.

Figure 3. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 2, *Building Government and Law Enforcement Expertise for Preventing Violent Extremism*



Source: CRS, based on materials contained in the SIP.

Figure 4. Lead Agencies and Their "Future Activities and Efforts" for SIP Objective 3, *Countering Violent Extremist Propaganda While Promoting U.S. Ideals*



Source: CRS, based on materials contained in the SIP.

Notes: The text in Figure 4 shifts to the present progressive tense, as does the text in the SIP related to the future activities and efforts for Objective 3.

Possible Policy Considerations for Congress

"The United States has made great strides," says one federal counterterrorism official, "in what might be called tactical counterterrorism—taking individual terrorists off the streets, and disrupting cells and their operations ... an effective counterterrorism strategy must go beyond this ... (to address) the threat of violent extremism."[110] With the announcement of the CVE strategy, the Obama Administration has begun to address this concern. These Administration efforts may attract greater oversight from Congress, especially because the strategy involves the interplay between the public marketplace of ideas involving constitutionally-protected activity and the secretive operational realm where terrorists plot and law enforcement pursues.

Implementing the CVE Strategy

As mentioned elsewhere in this report, federal CVE activity emphasizes engagement with Muslim communities across the country. It broadly recognizes this, training, and counter messaging as key components of CVE. However, aside from embracing robust outreach and training for government agencies, the strategy lacks specific initiatives to combat radicalization at the grass-roots level. This suggests a number of other issues.

Picking Partners and Establishing "Rules of the Road"

Who speaks for diverse Muslim communities in America? As mentioned above, "[w]hen asked "which of a list of national Muslim-American organizations represents their interests, 55% of Muslim men and 42% of Muslim women say that none do."[111] Perhaps sentiments are clearer at the local level, however these figures suggests the difficulty of selecting partners who accurately represent community needs. It is difficult to speak of one Muslim "constituency" in the United States. The 2.75 million Muslims in the United States have divergent sectarian points of view, come from many ethnic or national backgrounds, and live in a variety of areas. Muslim Americans support many secular and religious organizations.[112]

What criteria will the Administration employ in its selection efforts, and how transparent will the process be? Once approved as partners, what "rules of the road" will govern continued cooperation? In essence, what would have to happen for a Muslim community group to fall out of favor with the government? Ad hoc decision making might cause the whole CVE outreach process to appear arbitrary to some community participants. Congress may consider requiring the Administration to release public guidelines in this area. Public guidelines may be especially important, because engagement directly involves engaging people and issues in the open marketplace of ideas and protected constitutional activity.

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[110] Robert F. Godec, Principal Deputy Director for Counterterrorism at the Department of State, "U.S. Counterterrorism Policy," an address before the Global Young Leaders Conference, Washington, DC; June 30, 2010, http://www.state.gov/s/ct/rls/rm/2010/143809.htm.

[111] *Muslim Americans: Faith, Freedom, and the Future*, p. 25.

[112] Qamar-ul Huda, *The Diversity of Muslims in the United States: Views as Americans*, United States Institute of Peace, Special Report 159, Washington, DC. February 2006. http://www.usip.org/files/resources/sr159.pdf. See also: Pew Research Center, *Muslim Americans: No Signs of Growth in Alienation or Support for Extremism*, August 2011, pp. 13-21, http://www.people-press.org/files/legacy-pdf/Muslim-American-Report.pdf.

Intervention with At-Risk Individuals

There appears to be little federally driven guidance to community groups on how to intervene with people vulnerable to radicalization.[113] Such an intervention effort, the Channel Program, has been a key element of the United Kingdom's counter radicalization strategy since 2007. The British government describes Channel as a "multi-agency programme to identify and provide support to people at risk of radicalisation" and involvement in "all forms of terrorism."[114] Channel "relies on close collaboration between police, partners and other key stakeholders ... and where necessary, provides an appropriate support package tailored to an individual's needs."[115] Copying the Channel program in its entirety may not be appropriate for the U.S. context. However, it is unclear whether the Obama Administration considers some variant of Channel workable or even necessary in the United States.

The U.S. CVE strategy does cite the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Comprehensive Gang Model as an example of "locally-based initiatives that connect communities and government to address community challenges through collaboration and the development of stakeholder networks."[116] OJJDP—a component of DOJ's Office of Justice Programs—describes the model as "one of the few approaches to gangs that encompasses a multidisciplinary response to gangs on multiple levels."[117] The preventative model is intended as a blueprint for organizing local counter-gang efforts that do not necessarily result in law enforcement-driven outcomes, such as investigations, arrests, and prosecutions. For intervention, it targets young adult and teen gang members, not entities such as hate groups, prison gangs, or ideologically driven gangs consisting of adults.[118] The model involves five strategies:

> Community Mobilization: Involvement of local citizens, including former gang members and community groups and agencies, and the coordination of programs and staff functions within and across agencies.
>
> Opportunities Provision: The development of a variety of specific education, training, and employment programs targeting gang-involved youth.
>
> Social Intervention: Youth-serving agencies, schools, street outreach workers, grassroots groups, faith-based organizations, law enforcement agencies, and other criminal justice organizations reaching out and acting as links between gang-involved youth and their families, the conventional world, and needed services.
>
> Suppression: Formal and informal social control procedures, including close supervision or monitoring of gang youth by agencies of the criminal justice system and also by community-based agencies, schools, and grassroots groups.

[113] Aside from general mention in the *Strategic Implementation Plan*, p. 10.

[114] *Prevent Strategy*, p. 54.

[115] Association of Chief Police Officers, *National Channel Referral Figures*, http://www.acpo.police.uk/ACPOBusinessAreas/PREVENT/NationalChannelReferralFigures.aspx.

[116] *Empowering Local Partners*, p. 4.

[117] OJJDP, *OJJDP Comprehensive Gang Model: Planning for Implementation*, May 2009, p. 2. Hereafter: OJJDP, *Comprehensive Gang Model*.

[118] OJJDP, *Comprehensive Gang Model*, p. 6.

> Organizational Change and Development: Development and implementation of policies and procedures that result in the most effective use of available and potential resources to better address the gang problem.[119]

The model is designed to focus on youth active in gangs or those who exhibit factors indicating potential gang involvement. It also advocates engagement with the families of such youth. Among its many suggestions, the model discusses interventions such as job training, employment, family counseling, academic tutoring, and anger management classes for young people at-risk. It also calls on law enforcement agencies and courts to move beyond traditional roles in the suppression of gangs—urging them to consider more intervention-oriented activities such as referring youth to social service programs.[120]

The CVE strategy provides little detail about how the Comprehensive Gang Model may be applied to keep vulnerable people from radicalizing and becoming terrorists. Congress may consider examining the utility and feasibility of developing a CVE intervention model for the United States. While elaborating the specific details of such a program may be best left to the federal agencies potentially involved, broadly and publicly exploring what shape it would take might be of value to Congress. Key questions may involve issues such as 1) which agencies would take the lead in creating a program based on the Comprehensive Gang Model? 2) how would the FBI have to adapt its counterterrorism mission—strictly focused on investigating and disrupting terrorist activity—to handle the notion of "social intervention" as suggested by the Comprehensive Gang Model?

Identifying Programs and Federal Contacts to Assist Grassroots CVE Efforts

The Administration's CVE strategy stresses that "The best defenses against violent extremist ideologies are well-informed and equipped families, local communities, and local institutions."[121] Determining and explaining how local entities—whether public or private—should interact with federal partners may pose quite a challenge. For example, are there existing federal grant programs that can be harnessed by local actors to develop a CVE intervention program? A publicly available comprehensive list of grant programs that can be harnessed for CVE activities does not exist. Congress may opt to consider the feasibility or the value of such a list or a clearinghouse available to local entities to identify such programs. By possibly pursuing this, Congress may help to ensure that local constituents have better information about and more direct access to federal CVE programs. On the other hand, such a list may be perceived as an additional layer of bureaucracy between constituents and grant programs.

Countering Extremist Ideas: Choosing Good vs. Bad

As the United Kingdom has clearly stated in its counter-radicalization program, extremist ideologies play a role in radicalization.[122] Furthermore, the National Security Council's Quintan

[119] National Gang Center, "About the OJJDP Comprehensive Gang Model," http://www.nationalgangcenter.gov/Comprehensive-Gang-Model/About. "Suppression" was not emphasized in the Obama Administration's national CVE strategy's description of the Comprehensive Gang Model. The other components of the model were mentioned. See *Empowering Local Partners*, p. 4.

[120] OJJDP, *Comprehensive Gang Model*, p. 6.

[121] *Empowering Local Partners*, p. 2.

[122] *Prevent Strategy*, p. 7.

Wiktorowicz has commented that "We [the United States] will push back against the full scope of different violent ideologies with an inclusive, positive narrative."[123] However, in the United States, mere belief in radical notions, no matter how reprehensible they are, is not necessarily illegal.The American Civil Liberties Union's (ACLU) Michael German has stated that the ACLU is "deeply concerned about the potential for government censorship of Internet content based on the [CVE] strategy's proposal for countering violent extremist propaganda."[124]

Even more fundamentally, the task of countering extremist ideas raises key issues regarding the implementation of the CVE strategy. In the SIP, the Administration notes that when countering violent extremist propaganda, "In many instances, it will be more effective to empower communities to develop credible alternatives that challenge violent extremist narratives rather than having the federal government attempt to do so."[125] This begs the question: do the strategy and the SIP place the federal government in the business of determining which ideologies are dangerous and which are safe—essentially determining which beliefs are good and which are bad? This can be viewed from two angles. One involves establishing parameters for engagement with local communities, the other involves evaluating the end product of engagement, the counter-narrative.

- First, while the SIP may suggest that the government *should not* be involved in *creating* alternatives to violent extremist propaganda, it appears to assume that the government *will* be involved in *sifting* between dangerous and safe ideas—establishing parameters for engagement on this issue. Without picking and choosing between good and bad ideologies, "empowering" local activists to counter specific concepts may prove difficult. Empowering individuals and groups to counter un-named, un-described concepts may prove challenging.
- Second, if the framing of a counter-narrative challenging terrorist ideologies is necessary, how precisely should the federal government partner with state and local government and civilian counterparts in the development of this counter-narrative? How do government entities keep a counter-narrative from being publicly viewed as propaganda or fueling terrorist conspiracy theories about the United States?

Oversight in this area may be vital. As a start, Congress may wish to ask the Administration to better define what it means when referring to "violent extremist narratives."

The Lack of a Lead Agency

There is no designated single lead agency for any of the three objectives laid out in the SIP. Likewise, there is no single agency managing all of the individual activities and efforts of the plan. At the national level, it arguably may be of value to have a single federal agency in charge of the government's CVE efforts. One expert has stated as much:

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[123] Dina Temple-Raston, "White House Unveils Counter-Extremism Plan," *NPR*, August 3, 2011, http://www.npr.org/2011/08/04/138955790/white-house-unveils-counter-extremism-plan.

[124] "ACLU Lens: Obama Plan to Fight Violent Extremism a Step in the Right Direction, But..." *ACLU Blog of Rights*, August 3, 2011, http://www.aclu.org/blog/national-security/aclu-lens-obama-plan-fight-violent-extremism-step-right-direction.

[125] *Strategic Implementation Plan*, p. 18.

> The White House should designate a single agency that serves as the principal hub for collecting, disseminating, and evaluating information on counter-radicalization. Its main function would be to collect, analyze, and share best practices with a wide range of governmental and non-governmental actors, including community leaders and non-profits.[126]

Without a lead agency it may be difficult to monitor the levels of federal funding devoted to CVE efforts. How many personnel are devoted to CVE in the federal government? For how many of these employees is counter radicalization a full-time job? Are there mechanisms to track federal CVE expenditure? Which federal body is responsible for this? Very specifically, the lack of a lead agency is reflected in the fact that DOJ, DHS, and FBI have each issued training guidelines for CVE. They are very similar, but the issuance of three almost identical but separate guidelines raises the question: why not just have one set created by one body overseeing the CVE program? Congress may pursue with the Administration the feasibility or value of designating a lead agency, or the possibility of naming a lead via legislation. However, it is unclear what types of authority—especially in the budgetary realm—such a lead may be able to wield over well-established agencies playing central roles in the CVE strategy.

Measuring Input and Results

On the other side of these budgetary questions, without a lead agency, how will the Administration evaluate the effectiveness of federal CVE efforts? The SIP underscores that individual departments and agencies involved in CVE "will be responsible for assessing their specific activities in pursuit of SIP objectives, in coordination with an Assessment Working Group."[127] While this may seem straight-forward, the British government has struggled with measurement issues related to its counter-radicalization strategy. U.K. officials have made "progress ... in measuring outputs but not always in measuring outcomes."[128] In other words, counting the number of engagement events is one thing. It is quite another thing to evaluate their impact. The SIP mentions this problem as well.[129] However, the SIP does not discuss 1) specific metrics, 2) what real authority the Assessment Working Group will have to *independently* evaluate and impact CVE activity within federal departments and agencies, and 3) whether the Assessment Working Group will have the power to standardize measures of success across federal agencies and departments. In the end, the lack of a lead agency with budgetary control over CVE efforts and clear responsibility for implementation of the strategy makes it difficult to conceptualize exactly how spending in this area will be prioritized, evaluated, and then re-prioritized based on results.

Secretiveness vs. Transparency

Without a high degree of transparency, an engagement strategy driven by federal agencies charged with intelligence gathering and law enforcement responsibilities may run the risk of being perceived as an effort to co-opt communities into the security process—providing tips, leads, sources, and informants. This threatens to "securitize" a relationship intended as outreach within the marketplace of ideas. It has been noted that "unlike counterterrorism, which targets

[126] Neumann, *Preventing Violent Radicalization*, p. 41.

[127] *Strategic Implementation Plan*, p. 6.

[128] *Prevent Strategy*, p. 36.

[129] *Strategic Implementation Plan*, p. 6.

terrorists, counter-radicalization is focused on the communities that are targeted by terrorists for recruitment. The aim is to protect, strengthen, and empower these communities so that they become resilient to violent extremism."[130] As such, some suggest that it might not be particularly effective to have the same federal agencies responsible for counterterrorism also be the main players in the CVE strategy.[131] The SIP rejects this notion stressing that "Traditional national security or law enforcement agencies such as DHS, DOJ, and the FBI will execute many of the programs and activities outlined in the SIP."[132] The strategy relies on agencies whose enforcement and intelligence missions are undergirded by secretiveness. As it stands, 19 of the 20 "future activities and efforts" for SIP objective 1, which focuses on community engagement, have DOJ, DHS, or a national task force headed by DOJ and DHS as lead agencies. The lone remaining future activity/effort is headed by the Department of Treasury and is focused on terrorism financing, an area of enforcement for the Department.

The fact that DOJ, DHS, and Treasury are key counterterrorism agencies may make it difficult for community groups to view them as full partners, especially if community confidence in them is shaky to start. According to a 2011 study, American Muslims have less confidence than other faith groups in the FBI—"60% of Muslim Americans saying they have confidence in the FBI, versus 75% or more of Americans of other faiths who say this."[133] Because of this reality, Congress may decide to assess whether there is a need for greater transparency from the Administration in its CVE efforts.

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[130] Neumann, *Preventing Violent Radicalization*, p. 7.

[131] Ibid., p. 8.

[132] *Strategic Implementation Plan*, p. 4.

[133] *Muslim Americans: Faith, Freedom, and the Future*, p. 23.