

[Redacted] (FD) (FBI)

From: ExecSec (DO)(FBI)
Sent: Thursday, November 12, 2015 10:11 AM
To:

Cc:



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Subject: DOJ EXEC SEC / TRIM Document : 15/DO/3841 : (Rec'd via email) Advising that the White House held a three-day summit on Countering Violent Extremism (CVE), to discuss concrete steps the U.S. and its partners can take to develop community-oriented app --- U
Attachments: (Rec d via email) Advising that the White House held a three-day summit on Countering Violent ~ oriented approached to counter hateful extremist.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Classification: UNCLASSIFIED
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ACTION OFFICE: OPE

The above division, designated as the action office, is assigned the attached for preparation of a response over the signature of Assistant Attorney General, Peter J. Kadzik, for the Office of Legislative Affairs (OLA)/DOJ) and approval by OLA/DOJ by the due date indicated below. The original will be forwarded to your division's point of contact. An information only copy is also being sent to OCA, Deputy Director, Associate Deputy Director, Chief of Staff, Deputy Chief of Staff, Special Counsel to the Director, EAD/NSB, EAD/IB, EAD/CCRS, EAD/HRB, OGC, TD, OPA, IOD, CID, TSC, DI, RPO, INSD, OIC, and CIRG.

IMPORTANT NOTE: If you represent an FBI Field Division and are receiving this e-mail, you are being provided a copy of correspondence which has come to the attention of the Director,

or other FBI executive. You are not being tasked with any action in this regard by the FBI's Office of the Executive Secretariat. You are being provided a courtesy copy only.

Please be advised that DOJ has requested that FBI ExecSec provide contact information of the FBI person who authors the response to the attached Trim document. Therefore, the Division assigned to this Trim document must submit the name and contact information of the FBI staffer who authors the response. This information should be submitted when the final package is sent to FBI ExecSec for processing. FBI ExecSec will provide this information to DOJ when the package is forwarded to DOJ for signature. Please be advised that upon receipt of the package, DOJ personnel may reach out to the FBI contact if questions arise regarding the content of the response.

If this matter needs to be reassigned to another entity, the FBI ExecSec should be advised immediately (within 2 days of e-mail receipt). The ExecSec will need to know to whom the request should be reassigned, together with a point of contact (if known), and the original correspondence will need to be returned to ExecSec, Room 6147.

CHANGE EFFECTIVE 7/23/2012: At the request of OLA, all response documents must be created in Microsoft Word and must be prepared on OLA's letterhead supplied to the FBI by DOJ. See link below for this template.

ACTION OFFICE INSTRUCTIONS:

A. Preparation of Response:

1. Prepare the following:

-One response-undated on AAG/OLA letterhead, for the signature of the AAG/OLA, prepared on OLA's letterhead template

https://intranet.fbinet.fbi/DO/exec_sec/templates/OLALtterhead.000.docx

To use this template, you must save it as a new document in your personal directory.

-A DOJ envelope or mailing label,
-A blocked yellow undated file copy, attaching the DOJ ExecSec control sheet and original incoming correspondence to the yellow file copy, and a copy of the incoming to each designated "courtesy copy" (cc), as appropriate. The yellow copy mail room block must be checked and initialed, and the TRIM number noted on the yellow (can be handwritten).

2. At a minimum, the copy count must include the following copy designations:

Trim XX/DO/XXXX

1 - OLA, DOJ, Room 1338 - Encs.

1 - (Your confirmation white copy, if desired)

B. Routing of the Final Response Package:

1. Route your final response package to the FBI ExecSec, Room 6147, who will ensure that the package is delivered to the Office of Congressional Affairs (OCA), Room 7240, for review/approval and to the OLA/DOJ for signature. The FBI ExecSec will ensure that the final response is delivered to the DOJ Executive Secretariat. The FBI requires that all Congressional responses be cleared through the OCA and DOJ policy requires that all Congressional responses be cleared through the OLA/DOJ.

2. You are required to forward an electronic copy of the response document via e-mail to the FBI ExecSec. DOJ has requested that this electronic response document be forwarded with the FBI's response documents.

-----< HP TRIM Record Information >-----

Record Number : 15/DO/3841
Date Due : Tuesday, November 24, 2015
Addressee : AD-Office of Partner Engagement (Addressee)
Current Action : PREPARE RESPONSE PER INSTRUCTIONS (Responsibility of: Executive Secretariat, Due 11/24/2015 at 9:09 AM (7 days, 14 hours, 29 minutes))
All Contacts : AD-Office of Partner Engagement (Addressee)
Office of Congressional Affairs (Other)
Deputy Director (Other)
Associate Deputy Director (Other)
Chief of Staff (Other)
Deputy Chief of Staff (Other)
EAD-National Security Branch (Other)
EAD-Intelligence Branch (Other)
EAD-Criminal, Cyber, Response, and Services (Other) Special Counsel to the Director (Other)
EAD-Human Resources Branch (Other) Office of General Counsel (Other) AD-Training (Other)
Office of Public Affairs (OPA) (Other) AD-International Operations Division (Other) AD-Criminal Investigative Division (Other) Terrorist Screening Center (Other) Directorate of Intelligence (Other) Resource Planning Office (Other) AD-Inspection (Other) AD-Office of Integrity and Compliance (Other) AD-CIRG (Other)
Access DB or Workflow : 3142256
From : MCCAUL, MICHAEL T.
Constituent :
Title (Free Text Part) : (Rec'd via email) Advising that the White House held a three-day summit on Countering Violent Extremism (CVE), to discuss concrete steps the U.S. and its partners can take to develop community-oriented approaches to counter hateful extremist
Date of Communication : Thursday, November 05, 2015
Notes : SUBJECT: extremist ideologies that radicalize, recruit, or incite violence. The White House purposely did not invite the Director of the FBI. In the 9/11 Review Commission's 03/2015 report to the Director of the FBI, they found the FBI's CVE Office's "Fundamental law enforcement and intelligence responsibilities do not make it an appropriate vehicle for the social and prevention role in the CVE mission," and recommended that those responsibilities be transferred to DHS or other agencies. However, the FBI has started to pursue programs to expand its reach into America's classrooms. They are "developing a Web site designed to provide awareness about the dangers of violent extremist predators on the internet with input from students, educators, and community leaders" called "Don't be a Puppet." In an effort to increase transparency and gain a clearer understanding of the legal, civil liberties, privacy, and operational implications of the FBI's CVE activities, please provide the following information NLT 11/18/2015. (RN)
''Thursday, November 12, 2015 at 9:14:36 AM (GMT-05:00) Hall, Carrie:''
Related Records : Related to: 15/DO/396: Congressional from Chairman Michael T. McCaul, House Committee on Homeland Security, inviting FBI participation in the hearing entitled, "Countering Violent Islamist Extremism: The Urgent Threat of Foreign Fighters and Homegrown Terror," on
Related to: 14/DO/3364: (Rec'd from DHS via email) Expressing concerns regarding the pilot project to counter violent extremism that was announced and Minneapolis was included for participation. Requesting DOJ to work with local communities, religious leaders, civil
Related to: 14/DO/1792: Congressional from Congressman Michael T. McCaul, Committee on Homeland Security, regarding the forthcoming challenges with the National Strategy on Empowering Local Partners to Prevent Violent Extremism in the U.S., commonly referred to as

Related to: 11/DO/3446: Memorandum from Deputy Attorney General James M. Cole advising DOJ components to carefully review all training materials provided by their personnel, particularly training related to combating terrorism and countering violent extremism.

Related to: 15/DO/657: Congressional to Director Comey from Congressman Michael T. McCaul, Chairman, House Committee on Homeland Security, thanking CTD AD Michael Steinbach for testifying at a hearing on countering violent Islamic extremism. Commends AD Steinbach for

Related to: 15/DO/940: Letter to Director Comey from Jurgen Stock, Secretary General of INTERPOL, regarding his meeting with the Director at the White House Summit on Countering Violent Extremism, and inviting the Director to visit INTERPOL headquarters in France.

Related to: 11/DO/4634: (Rec'd from OLA via email) Regarding reports that DOJ and DoD have initiated reviews of all federal law enforcement and military counterterrorism training and educational programs - specifically regarding the cultural awareness of such programs

Related to: 14/DO/4157: Email to Chief of Staff [redacted] from [redacted] American Civil Liberties Union (ACLU), forwarding a coalition letter signed by more than 25 groups expressing concerns regarding the upcoming White House Summit on Countering Violent Extremism Programs. Providing recommendations that the White House and relevant agencies should take as a first step to addressing the concerns outlined in their letter. Ltr from

Related to: 15/DO/561: (Rec'd from DHS) Ltr regarding Federal support for Countering Violent Extremism Programs. Providing recommendations that the White House and relevant agencies should take as a first step to addressing the concerns outlined in their letter. Ltr from

Related to: 15/DO/962: Memorandum for the Attorney General from Director Comey entitled, "Co-sign letter from the Attorney General and Secretary of Homeland Security regarding Countering Violent Extremism Programs."

Related to: 15/DO/3843: (Rec'd from CRT via email) (Unsigned) Expressing concerns regarding the new Federal Bureau of Investigation's (FBI) countering Violent Extremism (CVE) programs. Stating that on 10/16/15, the FBI convened a "Community Focus Group" comprised of faith

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Classification: UNCLASSIFIED

Department of Justice
EXECUTIVE SECRETARIAT
CONTROL SHEET

DATE OF DOCUMENT: 11/05/2015

WORKFLOW ID: 3142256

DATE RECEIVED: 11/05/2015

DUE DATE: 11/24/2015

FROM: The Honorable Michael McCaul*
U.S. House of Representatives
Washington, DC 20515-0001

TO: AG

MAIL TYPE: Congressional Priority

SUBJECT: (Rec'd via email) Advising that the White House held a three-day summit on Countering Violent Extremism (CVE), to discuss concrete steps the U.S. and its partners can take to develop community-oriented approaches to counter hateful extremist ideologies that radicalize, recruit, or incite violence. The White House purposely did not invite the Director of the FBI. In the 9/11 Review Commission's 03/2015 report to the Director of the FBI, they found the FBI's CVE Office's "Fundamental law enforcement and intelligence responsibilities do not make it an appropriate vehicle for the social and prevention role in the CVE mission," and recommended that those responsibilities be transferred to DHS or other agencies. However, the FBI has started to pursue programs to expand its reach into America's classrooms. They are "developing a Web site designed to provide awareness about the dangers of violent extremist predators on the internet with input from students, educators, and community leaders" called "Don't be a Puppet." In an effort to increase transparency and gain a clearer understanding of the legal, civil liberties, privacy, and operational implications of the FBI's CVE activities, please provide the following information NLT 11/18/2015.

DATE ASSIGNED
11/09/2015

ACTION COMPONENT & ACTION REQUESTED
FBI
Prepare response for AAG/OLA signature.

INFO COMPONENT: OAG, OAG (Werner), ODAG, OLA, CRT

COMMENTS: ExecSec date/time stamp 11/05/2015 3:32PM

FILE CODE:

EXECSEC POC:

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One Hundred Fourteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

November 5, 2015

The Honorable Loretta E. Lynch
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Lynch:

Earlier this year, the White House held a three-day summit on Countering Violent Extremism. According to the White House, the summit was an opportunity to discuss concrete steps the United States and its partners can take to develop community-oriented approaches to counter hateful extremist ideologies that radicalize, recruit, or incite violence. The White House made the decision to not invite the Director of the Federal Bureau of Investigation (FBI) because the Administration's approach to counter violent extremists is a "bottom-up approach" that is "premised on the notion that local officials and communities can be an effective bulwark against violent extremism."¹

Moreover, in March 2015, the 9/11 Review Commission, in its report to the Director of the FBI, found the FBI's CVE Office's "fundamental law enforcement and intelligence responsibilities do not make it an appropriate vehicle for the social and prevention role in the CVE mission."² The Commission recommended that the primary social and prevention responsibility of the FBI's CVE mission be transferred to the Department of Homeland Security or other agencies that are more directly involved with community interaction.³

¹ "F.B.I. Chief Not Invited to Meeting on Countering Violent Extremism," Michael S. Schmidt, *The New York Times*, Feb. 19, 2005.

² *The FBI: Protecting the Homeland in the 21st Century*, Bruce Hoffman, Edwin Meese, III, and Timothy Roemer, March 25, 2015.

³ *Id.*

It is troubling to see the FBI is turning a deaf ear to both the White House and the 9/11 Review Commission and not only remains in the CVE space but is pursuing programs to expand its reach into America's classrooms. This week, I learned that the FBI "is developing a Website designed to provide awareness about the dangers of violent extremist predators on the Internet, with input from students, educators and community leaders."⁴ Reportedly, this website, called "Don't Be A Puppet" is meant to be used by teachers and students to help the FBI prevent the violent extremism of youth.⁵ According to the *Washington Post*, teachers and students in multiple Northern Virginia school districts were invited to preview the website. The *Post* also reported that the FBI would reach out to schools to see if they were interested in using the site within classrooms.⁶ Reports indicate that the FBI is aiming for the site to be used in civics, social studies, and government classes.⁷

According to the U.S. Department of Education, a common refrain from educators is that they want to work with parents and students from diverse backgrounds and cultures, and to develop a shared responsibility for children's outcomes between home and school. As a former educator, I understand a teacher may be the only person that some students can trust. Also, while a teacher may be best-positioned to notice changes in a student's behavior, it is hard to see how having that teacher participate in a Federal law enforcement program would not chill relationships with students or, for that matter, undermine a supportive learning environment. Put simply, turning teachers into intelligence gathers and investigators has questionable value as a strategy for countering terrorism or violent extremism and may actually interfere with students involved in a range of risky behavior or in crisis turning away from that one person, a teacher, who might be able to make a difference.

Though I understand that plans for the website have been temporarily suspended, it is critical that you, as the leader of the Department of Justice, give personal attention to not only this program but also to the entirety FBI's CVE activities. Knowing your commitment to the Administration's countering violent extremism efforts, it is critical that you do oversight of the FBI's CVE activities, particularly with respect to the "Don't Be A Puppet" website. The FBI is responsible to you for its operations. As such, in an effort to increase transparency and gain a clearer understanding of the legal, civil liberties, privacy, and operational implications of the FBI's CVE activities, please review the FBI's CVE activities and provide the following information by November 18, 2015:

1. A timeline, from conception to implementation of the "Don't Be A Puppet" website.
2. Copies of any Privacy Impact Assessments prepared by DOJ's Chief Privacy and Civil Liberties Officer on any of the FBI's CVE programs.

⁴ "Muslim activists alarmed by the FBI's new game-like counterterrorism program for kids," Michelle Boorstein, *The Washington Post*, November 2, 2015.

⁵ Id.

⁶ Id.

⁷ Id.

3. Information on the national educational organizations, education leaders, childhood development specialists, and psychologists, if any, who were consulted with respect to the development of the website.
4. The names and titles of the officials from the U.S. Department of Health and Human Services, if any, who were consulted with respect to the development of the website.
5. Information on any contractors involved in the development of the website, together with information on the scope of work that each contractor performed.
6. Information on any scientific validation studies conducted prior to November 1, 2015 on the anticipated efficacy of the website.

Additionally, please provide answers to the following questions:

1. Was the U.S. Department of Education involved in the creation of this website? If so, please provide the names and titles of individuals who gave the FBI advice and counsel on the implementation of this website. Also, please specify the nature of the involvement of such individuals.
2. Did DOI's Chief Privacy and Civil Liberties Officer conduct a Privacy Impact Assessment on the use of the website "Don't Be A Puppet" or any other website aiming to dissuade youth from participating in violent extremist activity? If so, please provide a copy.
3. According to reports, the FBI conducted focus groups to preview the website. Please provide information on the dates, locations, and durations of each preview as well as corresponding information on the individuals or groups that participated in each preview. Also, please answer the following questions:
 - A) How did the FBI determine which groups and individuals to invite to the previews?
 - B) What groups and individuals declined to attend the previews?
How did the FBI collect feedback from participants and what, if any, feedback was recorded?
4. Does the FBI use the Violent Extremist Risk Assessment instruments (VERA or VERA-2)? Under what circumstances does the FBI employ the VERA or VERA-2 factors? Has the FBI done any research (or contracted for research with outside entities) to evaluate the effectiveness of these instruments in the circumstances in which the FBI uses them? Were these tools used to inform or create any portions of the website?
5. It has been reported that the FBI contacted schools to see if they were interested in using the program and was aiming for it to be used in civics, social studies and government classes.

- a. If so, please provide the names and locations of each school that the FBI targeted for participation.
 - b. Also, please provide information on the schools that have agreed to participate and the number of teachers at each school that would participate.
 - c. Approximately how many students at participating schools are expected to use the site when it is introduced?
 - d. For participating schools, does the FBI envision teacher participation to be discretionary or would teachers at these schools be obligated to attend training and participate in the program?
 - e. Please provide the materials which were provided to schools who have confirmed participation or interest in the website.
 - f. It was also reported that the FBI has already showed the site to some teachers and students in Northern Virginia to get feedback. Please identify each school, including its location, where the website was viewed and any feedback that was recorded by the FBI.
6. Did the Domestic Terrorism Executive Committee have the opportunity to preview the website? If so, please provide the dates the DTEC previewed the website.
 7. Did the Assistant Attorney General for National Security preview this website? If so, please provide the dates the Assistant Attorney General previewed the website.
 8. Did the Assistant Secretary for Civil Rights at the U.S. Department of Education have the opportunity to preview the website? If so, please provide the dates the Assistant Secretary previewed the website.
 9. It has been reported that at a community meeting in October, groups were provided limited detail of the FBI's plan for "Shared Responsibility Committees". One task of the committee would be to identify youth that are prone to violent extremism.
 - A. Please provide the Chief Officer for Privacy and Civil Liberties Impact Assessment on the "Shared Responsibility Committees."
 - B. Has the Assistant Attorney General for National Security been involved in the creation or implementation of "Shared Responsibility Committees?"
 - C. Please provide the names of the child psychologists and behavior therapists that provided input to the FBI for the "Shared Responsibility Committee."

Thank you for your attention to this matter. If you have any questions about this request, please contact Hope Goins, Chief Counsel for Oversight at (202) 226-2616.

Sincerely,

A handwritten signature in black ink, appearing to read "Bennie G. Thompson". The signature is fluid and cursive, with the first name "Bennie" being more prominent and the last name "Thompson" written in a continuous script.

Bennie G. Thompson
Ranking Member
Committee on Homeland Security

cc: The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

cc: The Honorable John King
Deputy Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202