

August 31, 2016

The Honorable Jeh Johnson
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528
Fax: (202)612-1976

RE: Objections to DHS's Fiscal Year 2016 Countering Violent Extremism Grant Program

Dear Secretary Johnson:

The undersigned organizations write to express our concerns regarding the Department of Homeland Security's Fiscal Year 2016 Countering Violent Extremism Grant Program.

All organizations involved in CVE should be mindful of its potentially stigmatizing impacts when applying for and accepting funds through the Grant Program, which the DHS Notice of Funding Opportunity states is part of the agency's mission to "Prevent Terrorism and Enhance Security".

We believe that the Grant Program will have a potential negative impact on free religious exercise and political expression, cause the probable stigmatization of community members as a result of the reframing of routine programming and mental health and social services as CVE, and lead to the possible loss of organizational independence and autonomy. These consequences do not justify the anticipated short-term benefit which government agencies, nonprofit institutions, and institutes of higher education would accrue from an infusion of Grant Program funding.

In light of the Muslim-focused approach of the CVE program observed to date, the Grant Program also provides ill-advised and out-of-touch political officials and media with additional pretext to increase fear-mongering about American Muslim communities.

Accordingly, none of the undersigned organizations, their local chapters, or affiliates have applied, or intend to, for funds under the Grant Program.¹

The Department of Homeland Security's Fiscal Year 2016 CVE Grant Program

In July 2016 DHS issued its Notice of Funding Opportunity for the 2016 fiscal year to promote and advance the objectives of its Countering Violent Extremism program.

Through the FY 2016 CVE Grant Program, DHS will accept grant applications for federal funds totaling \$10,000,000 to provide "financial assistance for Countering Violent Extremism" to an estimated 60 grantees. Grants will range from \$20,000 to \$1,500,000 and will be distributed across the following five program priorities:

1. Developing resilience
2. Challenging the narrative

¹ These organizations do not waive their rights to apply for any such grants in future and subsequent application cycles, provided they are satisfied that adequate protections and safeguards are provided for the rights and liberties of American Muslims and other Americans.

3. Training and engagement with community members
4. Managing intervention activities
5. Building capacity of community-level nonprofit organizations active in CVE

Impact on Free Religious Exercise and Political Expression and Other Civil Rights

Among the potential adverse consequences of the Grant Program are the censorship of free religious exercise and political expression, the violation of individual privacy rights, and unconstitutional governmental intrusion.

The Grant Program partly seeks to fund efforts aimed at “identifying the early signs of radicalization to violence.”² Yet extensive and thorough research conducted on this topic establishes that profiles of violent extremists vary enormously and defy the creation of predictive checklists of radicalization.

CVE training and guidelines promote a theory of “radicalization” and malleable “indicators” and “predictors” of violence, including patterns of lawful political activism and religious worship. Therefore, CVE is likely to result in law enforcement targeting an individual based on his/her political opinion and exercise of religion. These are First Amendment protected activities which no government-sponsored programs should encroach upon. Law enforcement cannot be allowed to use them as a basis for action.

Generalized monitoring, whether conducted by the government or community partners, creates a climate of stifling fear, suspicion, and self-censorship. People must watch what they say and with whom they speak lest they be reported for engaging in lawful behavior vaguely labelled suspicious.

Probable Stigmatization of Community Members as a Result of the Reframing of Routine Programming and Mental Health and Social Services as CVE

In March 2016 \$300,000 in CVE funds were disbursed to community groups in Minnesota through a program to combat terrorism. The funded projects included “youth sports activities,” “soccer and Somali arts classes for male students,” and efforts to “engage youth” and “address the stigma of mental illness.” All of these are important, yet wholly standard community development programs for the empowerment of disadvantaged people.³

Such programs constitute fundamental services which both government and community organizers should provide to their constituents. They should not be securitized and classified as CVE. Doing so unfairly implies that the participants, who are often already among the most marginalized and disadvantaged in society, are an inherent threat to national security.

Managing intervention activities, one of the program priorities, can include providing mental health and social services. While we welcome efforts to address the gaps in mental health services in certain minority communities across the United States, we remain concerned that any approach in which law enforcement officials work closely with mental health service providers carries the risk of further

² <https://www.dhs.gov/news/2016/07/06/fy-2016-countering-violent-extremism-cve-grants>

³ Amy Forliti. “6 Somali organizations receive grants to combat terrorism.” Associated Press, March 10, 2016, <https://www.mprnews.org/story/2016/03/10/six-somali-groups-grants-combat-terrorism>.

stigmatizing mental health related issues and services within communities which already struggle with such stigma.

In addition, we are concerned about issues regarding the integrity and confidentiality of interactions between patients and mental health professionals in potential violation of the right of privacy patients possess and the duty of confidentiality owed to them.

Although building capacity within communities for educational resources, social services, and mental health services is an admirable goal, these goals can be achieved only through strategies which treat communities holistically and address a range of needs and social problems. Conducting such work through the lens of national security or law enforcement is neither adequate nor appropriate.

Possible Loss of Organizational Independence and Autonomy

The maintenance of organizational independence and autonomy is of the utmost importance to the undersigned organizations. We will continue to work closely with government authorities and law enforcement, but even the possible appearance of impropriety is a risk we are not willing to take.

In a similar fashion to the DHS Grant Program, the United Kingdom's Preventing Violent Extremism Program, more commonly known as Prevent, provided funding to community groups.

In *Spooked: How not to prevent violent extremism*, a 2009 analysis of Prevent, researchers found that "According to many of our interviewees, in practice, funding and support is often allocated and withdrawn from organisations depending on whether they align themselves with local and central government, and their policies. The general atmosphere promoted by Prevent is one in which to make criticisms is to risk losing funding and face isolation as an 'extremist', while those organisations which echo the government's own political line are rewarded with large sums of public money."

The author of *Spooked* also found "strong reasons for thinking" that Prevent "fosters social divisions among Muslims themselves and between Muslims and others, encourages tokenism, facilitates violations of privacy and professional norms of confidentiality, discourages local democracy and is counter-productive in reducing the risk of political violence."

Given the initial selection and ongoing evaluation process of the Grant Program, in addition to the right of the DHS to take "corrective measures" with respect to applicants and programs under the Grant Program, we are concerned that participating groups may compromise their ability to maintain independence and autonomy in representing the best interests of all Americans.

Violent extremist recruiters seek to disengage their targets from family, religious leaders, and role models who would undermine the recruiter's false narrative. In many such cases, community-led efforts can ensure that a targeted individual's moment of vulnerability does not lead to laws being broken, anyone being hurt, or a lifetime in prison. We recognize the reasonable assertion that government and law enforcement are not viewed as credible voices by those who are misled by violent extremist ideologies. Consequently, credible community voices not deemed as "being in the government's pocket" are crucial. Participating in a government-led or funded effort will likely undermine the messengers who possess the potential to dissuade disaffected people from violent extremism.

For the foregoing reasons, the undersigned organizations have not and will not apply for funding from the Department of Homeland Security Fiscal Year 2016 Countering Violent Extremism Grant Program.

Sincerely,

Access California Services
Access of WNY, INC.
American-Arab Anti-Discrimination Committee (ADC)
Arab American Action Network (AAAN)
Asian Americans Advancing Justice- Asian Law Caucus
Asian Americans Advancing Justice - Los Angeles
Bill of Rights Defense Committee/Defending Dissent Foundation
Californians Aware
Council on American-Islamic Relations (CAIR)
Fight for the Future
Islamic Circle of North America
ICNA Council for Social Justice
National Association of Social Workers
National Center for Transgender Equality
Restore The Fourth
The Sikh Coalition
Satrang
South Asian Americans Leading Together (SAALT)
South Asian Helpline & Referral Agency (SAHARA)
U.S. Palestinian Community Network (USPCN)