

114TH CONGRESS
2D SESSION

S. 2522

To amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2016

Mr. CARPER introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AUTHORIZATION OF THE OFFICE FOR PART-**
4 **NERSHIPS AGAINST VIOLENT EXTREMISM OF**
5 **THE DEPARTMENT OF HOMELAND SECURITY.**

6 (a) IN GENERAL.—Title I of the Homeland Security
7 Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding
8 at the end the following:

1 **“SEC. 104. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT**
2 **EXTREMISM.**

3 “(a) DEFINITIONS.—In this section—

4 “(1) the term ‘countering violent extremism’
5 means proactive and relevant actions to counter ef-
6 forts by extremists to radicalize, recruit, and mobi-
7 lize followers to violence and to address the condi-
8 tions that allow for violent extremist recruitment
9 and radicalization; and

10 “(2) the term ‘violent extremism’ means ideo-
11 logically motivated international terrorism or domes-
12 tic terrorism, as those terms are defined in section
13 2331 of title 18, United States Code.

14 “(b) ESTABLISHMENT.—There is in the Department
15 an Office for Partnerships Against Violent Extremism.

16 “(c) HEAD OF OFFICE.—The Office for Partnerships
17 Against Violent Extremism shall be headed by an Assist-
18 ant Secretary for Partnerships Against Violent Extre-
19 mism, who shall be designated by the Secretary and report
20 directly to the Secretary.

21 “(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT
22 OF PERSONNEL.—The Secretary shall—

23 “(1) designate a career Deputy Assistant Sec-
24 retary for Partnerships Against Violent Extremism;
25 and

1 “(2) assign or hire, as appropriate, permanent
2 staff to the Office for Partnerships Against Violent
3 Extremism.

4 “(e) RESPONSIBILITIES.—

5 “(1) IN GENERAL.—The Assistant Secretary for
6 Partnerships Against Violent Extremism shall be re-
7 sponsible for the following:

8 “(A) Leading the efforts of the Depart-
9 ment to counter violent extremism across all the
10 components and offices of the Department that
11 conduct strategic and supportive efforts to
12 counter violent extremism. Such efforts shall in-
13 clude the following:

14 “(i) Partnering with communities to
15 address vulnerabilities that can be ex-
16 ploited by violent extremists in the United
17 States and explore potential remedies for
18 Government and nongovernment institu-
19 tions.

20 “(ii) Working with civil society groups
21 and communities to counter violent extrem-
22 ist propaganda, messaging, or recruitment.

23 “(iii) In coordination with the Office
24 for Civil Rights and Civil Liberties of the
25 Department, managing the outreach and

1 engagement efforts of the Department di-
2 rected toward communities at risk for
3 radicalization and recruitment for violent
4 extremist activities.

5 “(iv) Ensuring relevant information,
6 research, and products inform efforts to
7 counter violent extremism.

8 “(v) Developing and maintaining De-
9 partment-wide strategy, plans, policies, and
10 programs to counter violent extremism.
11 Such plans shall, at a minimum, address
12 each of the following:

13 “(I) The Department’s plan to
14 leverage new and existing Internet
15 and other technologies and social
16 media platforms to improve non-
17 government efforts to counter violent
18 extremism, as well as the best prac-
19 tices and lessons learned from other
20 Federal, State, local, tribal, territorial,
21 and foreign partners engaged in simi-
22 lar counter-messaging efforts.

23 “(II) The Department’s coun-
24 tering violent extremism-related en-
25 gagement efforts.

1 “(III) The use of cooperative
2 agreements with State, local, tribal,
3 territorial, and other Federal depart-
4 ments and agencies responsible for ef-
5 forts relating to countering violent ex-
6 tremism.

7 “(vi) Coordinating with the Office for
8 Civil Rights and Civil Liberties of the De-
9 partment to ensure all of the activities of
10 the Department related to countering vio-
11 lent extremism fully respect the privacy,
12 civil rights, and civil liberties of all per-
13 sons.

14 “(vii) In coordination with the Under
15 Secretary for Science and Technology and
16 in consultation with the Under Secretary
17 for Intelligence and Analysis, identifying
18 and recommending new empirical research
19 and analysis requirements to ensure the
20 dissemination of information and methods
21 for Federal, State, local, tribal, and terri-
22 torial countering violent extremism practi-
23 tioners, officials, law enforcement, and
24 nongovernmental partners to utilize such
25 research and analysis.

1 “(viii) Assessing the methods used by
2 violent extremists to disseminate propa-
3 ganda and messaging to communities at
4 risk for recruitment by violent extremists.

5 “(B) Developing a digital engagement
6 strategy that expands the outreach efforts of
7 the Department to counter violent extremist
8 messaging by—

9 “(i) exploring ways to utilize relevant
10 Internet and other technologies and social
11 media platforms; and

12 “(ii) maximizing other resources avail-
13 able to the Department.

14 “(C) Serving as the primary representative
15 of the Department in coordinating countering
16 violent extremism efforts with other Federal de-
17 partments and agencies and nongovernmental
18 organizations.

19 “(D) Serving as the primary Department-
20 level representative in coordinating with the De-
21 partment of State on international countering
22 violent extremism issues.

23 “(E) In coordination with the Adminis-
24 trator of the Federal Emergency Management
25 Agency, providing guidance regarding the use of

1 grants made to State, local, and tribal govern-
2 ments under sections 2003 and 2004 under the
3 allowable uses guidelines related to countering
4 violent extremism.

5 “(F) Developing a plan to expand philan-
6 thropic support for domestic efforts related to
7 countering violent extremism, including by iden-
8 tifying viable community projects and needs for
9 possible philanthropic support.

10 “(G) Administering the assistance de-
11 scribed in subsection (f).

12 “(2) COMMUNITIES AT RISK.—For purposes of
13 this subsection, the term ‘communities at risk’ shall
14 not include a community that is determined to be at
15 risk solely on the basis of race, religious affiliation,
16 or ethnicity.

17 “(f) GRANTS TO COUNTER VIOLENT EXTREMISM.—

18 “(1) ESTABLISHMENT.—The Assistant Sec-
19 retary for Partnerships Against Violent Extremism,
20 in coordination with the Administrator of the Fed-
21 eral Emergency Management Agency and the Officer
22 for Civil Rights and Civil Liberties of the Depart-
23 ment, shall establish a grant program for eligible
24 community groups and organizations to assist those
25 groups and organizations in establishing counter-

1 messaging campaigns targeting violent extremism
2 and to strengthen community programs to counter
3 violent extremism.

4 “(2) IMPLEMENTATION PLAN.—Not later than
5 90 days after the date of enactment of this section,
6 the Assistant Secretary for Partnerships Against
7 Violent Extremism, in coordination with the Admin-
8 istrator of the Federal Emergency Management
9 Agency and the Officer for Civil Rights and Civil
10 Liberties of the Department, shall provide to the
11 Committee on Homeland Security and Governmental
12 Affairs of the Senate and the Committee on Home-
13 land Security of the House of Representatives an
14 implementation plan for the grant program estab-
15 lished under this subsection, including eligibility cri-
16 teria, application criteria, a methodology for award-
17 ing grants, and a plan for monitoring and evaluating
18 grant applications and awards.

19 “(3) PROHIBITION.—A community group or or-
20 ganization is not eligible for a grant under this sub-
21 section if the group or organization has knowingly
22 funded violent extremist activities or organizations
23 known to engage in such activities, as determined by
24 the Assistant Secretary for Partnerships Against

1 Violent Extremism, in coordination with the heads of
2 other relevant Federal departments and agencies.

3 “(g) STRATEGY TO COUNTER VIOLENT EXTREMISM
4 IN THE UNITED STATES.—

5 “(1) STRATEGY.—Not later than 90 days after
6 the date of enactment of this section, the Secretary
7 shall submit to the Committee on Homeland Secu-
8 rity and Governmental Affairs and the Committee
9 on the Judiciary of the Senate and the Committee
10 on Homeland Security and the Committee on the
11 Judiciary of the House of Representatives a com-
12 prehensive Department strategy to counter violent
13 extremism in the United States.

14 “(2) CONTENTS OF STRATEGY.—The strategy
15 required under paragraph (1) shall, at a minimum,
16 address each of the following:

17 “(A) The Department’s digital engagement
18 effort, including a plan to leverage new and ex-
19 isting Internet, digital, and other technologies
20 and social media platforms to counter violent
21 extremism, as well as the best practices and les-
22 sons learned from other Federal, State, local,
23 tribal, territorial, nongovernmental, and foreign
24 partners engaged in similar counter-messaging
25 activities.

1 “(B) The Department’s countering violent
2 extremism-related engagement and outreach ac-
3 tivities.

4 “(C) The use of cooperative agreements
5 with State, local, tribal, territorial, and other
6 Federal departments and agencies responsible
7 for activities relating to countering violent ex-
8 tremism.

9 “(D) Ensuring all activities related to
10 countering violent extremism adhere to relevant
11 Department and applicable Department of Jus-
12 tice guidance regarding privacy, civil rights, and
13 civil liberties, including safeguards against dis-
14 crimination.

15 “(E) The development of qualitative and
16 quantitative outcome-based metrics to evaluate
17 the Department’s programs and policies to
18 counter violent extremism.

19 “(F) An analysis of the homeland security
20 risk posed by violent extremism based on the
21 threat environment and empirical data assess-
22 ing terrorist activities and incidents, and violent
23 extremist propaganda, messaging, or recruit-
24 ment.

1 “(G) Information on the Department’s
2 near-term, mid-term, and long-term risk-based
3 goals for countering violent extremism, reflect-
4 ing the risk analysis conducted under subpara-
5 graph (F).

6 “(3) STRATEGIC CONSIDERATIONS.—In draft-
7 ing the strategy required under paragraph (1), the
8 Secretary shall consider including the following:

9 “(A) Departmental efforts to undertake re-
10 search to improve the Department’s under-
11 standing of the risk of violent extremism and to
12 identify ways to improve countering violent ex-
13 tremism activities and programs, including out-
14 reach, training, and information sharing pro-
15 grams.

16 “(B) The opportunities and challenges as-
17 sociated with the establishment of the grant
18 program under subsection (f) that leverages
19 emerging and existing social media and Internet
20 platforms to directly and indirectly counter vio-
21 lent extremist propaganda.

22 “(C) The Department’s nondiscrimination
23 policies as they relate to countering violent ex-
24 tremism.

1 “(D) Departmental efforts to help promote
2 community engagement and partnerships to
3 counter violent extremism in furtherance of the
4 strategy.

5 “(E) Departmental efforts to help increase
6 support for programs and initiatives to counter
7 violent extremism of other Federal, State, local,
8 tribal, territorial, nongovernmental, and foreign
9 partners that are in furtherance of the strategy,
10 and which adhere to all relevant constitutional,
11 legal, and privacy protections.

12 “(F) Departmental efforts to disseminate
13 to local law enforcement and the general public
14 information on resources, such as training guid-
15 ance, workshop reports, and the violent extrem-
16 ist threat, through multiple platforms, including
17 the development of a dedicated webpage, and
18 information regarding the effectiveness of those
19 efforts.

20 “(G) Departmental efforts to use coopera-
21 tive agreements with State, local, tribal, terri-
22 torial, and other Federal departments and
23 agencies responsible for efforts relating to coun-
24 tering violent extremism, and information re-
25 garding the effectiveness of those efforts.

1 “(H) Information on oversight mechanisms
2 and protections to ensure that activities and
3 programs undertaken pursuant to the strategy
4 adhere to all relevant constitutional, legal, and
5 privacy protections.

6 “(I) Departmental efforts to conduct over-
7 sight of all countering violent extremism train-
8 ing and training materials and other resources
9 developed or funded by the Department.

10 “(J) Departmental efforts to foster trans-
11 parency by making, to the extent practicable,
12 all regulations, guidance, documents, policies,
13 and training materials publicly available, includ-
14 ing through any webpage developed under sub-
15 paragraph (F).

16 “(4) STRATEGIC IMPLEMENTATION PLAN.—

17 “(A) IN GENERAL.—Not later than 90
18 days after the date on which the Secretary sub-
19 mits the strategy required under paragraph (1),
20 the Secretary shall submit to the Committee on
21 Homeland Security and Governmental Affairs
22 and the Committee on the Judiciary of the Sen-
23 ate and the Committee on Homeland Security
24 and the Committee on the Judiciary of the
25 House of Representatives an implementation

1 plan for each of the components and offices of
2 the Department with responsibilities under the
3 strategy.

4 “(B) CONTENTS.—The implementation
5 plan required under subparagraph (A) shall in-
6 clude an integrated master schedule and cost
7 estimate for activities and programs contained
8 in the implementation plan, with specificity on
9 how each such activity and program aligns with
10 near-term, mid-term, and long-term goals speci-
11 fied in the strategy required under paragraph
12 (1).

13 “(h) ANNUAL REPORT.—Beginning in the first fiscal
14 year beginning after the date of enactment of this section,
15 and in each of the next 5 fiscal years, the Assistant Sec-
16 retary for Partnerships Against Violent Extremism shall
17 submit to Congress an annual report on the Office for
18 Partnerships Against Violent Extremism, which shall in-
19 clude the following:

20 “(1) A description of the status of the pro-
21 grams and policies of the Department for countering
22 violent extremism in the United States, including the
23 budget of the Department for countering violent ex-
24 tremism and the number of full-time employees dedi-
25 cated to countering violent extremism programs, as

1 well as the number of part-time employees sup-
2 porting countering violent extremism programs.
3 Each such budget shall include an accounting of all
4 funding amounts for all departmental programs, ini-
5 tiatives, and personnel related to countering violent
6 extremism.

7 “(2) A description of the efforts of the Office
8 for Partnerships Against Violent Extremism to co-
9 operate with and provide assistance to other Federal
10 departments and agencies.

11 “(3) Qualitative and quantitative metrics for
12 evaluating the success of such programs and policies
13 and the steps taken to evaluate the success of such
14 programs and policies.

15 “(4) An accounting of grants awarded by the
16 Department to counter violent extremism, and an
17 accounting of all training specifically aimed at coun-
18 tering violent extremism sponsored by the Depart-
19 ment.

20 “(5) Details of the optimal level of personnel
21 and funding for the Office for Partnerships Against
22 Violent Extremism.

23 “(6) An analysis of how the Department’s ac-
24 tivities to counter violent extremism correspond and
25 adapt to the threat environment.

1 “(7) A summary of how civil rights and civil
2 liberties are protected in the Department’s activities
3 to counter violent extremism.

4 “(8) An evaluation of the grant program estab-
5 lished under subsection (f), including information on
6 the effectiveness of such grants in countering violent
7 extremism.

8 “(9) A description of how the Office for Part-
9 nerships Against Violent Extremism incorporated
10 lessons learned from the countering violent extre-
11 mism programs and policies of foreign, State, local,
12 tribal, and territorial governments and stakeholder
13 communities.

14 “(i) ANNUAL REVIEW.—Not later than 1 year after
15 the date of enactment of this section, and every year there-
16 after, the Office for Civil Rights and Civil Liberties of the
17 Department shall—

18 “(1) conduct a review of the Office for Partner-
19 ships Against Violent Extremism activities to ensure
20 that all of the activities of the Office related to coun-
21 tering violent extremism respect the privacy, civil
22 rights, and civil liberties of all persons; and

23 “(2) make publicly available on the website of
24 the Department a report containing the results of
25 the review conducted under paragraph (1).”.

1 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
2 The table of contents in section 1(b) of the Homeland Se-
3 curity Act of 2002 (6 U.S.C. 101 et seq.) is amended by
4 inserting after the item relating to section 103 the fol-
5 lowing:

“Sec. 104. Office for Partnerships Against Violent Extremism.”.

6 (c) **SUNSET.**—Effective on the date that is 7 years
7 after the date of enactment of this Act—

8 (1) section 104 of the Homeland Security Act
9 of 2002, as added by subsection (a), is repealed; and

10 (2) the table of contents in section 1(b) of the
11 Homeland Security Act of 2002 (6 U.S.C. 101 et
12 seq.) is amended by striking the item relating to sec-
13 tion 104.

○