

Calendar No. 655

114TH CONGRESS }
2d Session }

SENATE

{ REPORT
114-365 }

COUNTERING ONLINE RECRUITMENT OF
VIOLENT EXTREMISTS ACT OF 2015

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 2418

TO AUTHORIZE THE SECRETARY OF HOMELAND SECURITY TO
ESTABLISH UNIVERSITY LABS FOR STUDENT-DEVELOPED
TECHNOLOGY-BASED SOLUTIONS FOR COUNTERING ONLINE
RECRUITMENT OF VIOLENT EXTREMISTS



OCTOBER 27, 2016.—Ordered to be printed
Filed, under authority of the order of the Senate of September 29, 2016

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Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 2418]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 2418) to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

The purpose of S. 2418, the Countering Online Recruitment of Violent Extremists Act of 2016, is to authorize the Secretary of the Department of Homeland Security (DHS or “the Department”) to establish one or more Countering Violent Extremism (CVE) Labs at existing DHS university-based centers of excellence. The CVE Labs will allow students to leverage new technologies to create peer-to-peer solutions that counter the online recruitment methods

of violent extremist organizations. The Secretary may reprioritize existing grants to such universities to fund each CVE Lab and is required to report to Congress on an independently-commissioned assessment of the impact of each CVE Lab that the Secretary opts to establish.

II. BACKGROUND AND THE NEED FOR LEGISLATION

In 2015, President Obama identified al-Qaeda, the Islamic State in Iraq and Syria (ISIS), and their affiliates, as the preeminent security threat to the United States.¹ In August 2011, the Administration released a CVE strategy entitled, “Empowering Local Partners to Prevent Violent Extremism in the United States.”² This strategy represents a shift in how the counterterrorism community understands prevention and a willingness to consider new and innovative tools that can address the evolving nature of terrorism better than traditional Federal counterterrorism functions.³ Yet, according to the Congressional Research Service, the 2011 CVE strategy and accompanying implementation plan lack “specific initiatives to combat radicalization at the grass-roots level.”⁴

During a Committee hearing in October 2015, DHS Secretary Jeh Johnson testified that terrorist groups use the internet to “inspire individuals to conduct attacks within their own homelands.”⁵ During another Committee hearing in May of the same year, Daveed Gartenstein-Ross, a Senior Fellow at the Foundation for Defense of Democracies, testified that “the interconnectivity of the Internet . . . suddenly makes someone who is alone a part of a group.”⁶ At the same hearing, Peter Bergen, the Director of New America Foundation’s National Security Studies Program, testified about the importance of amplifying a positive message rather than trying to attack or eliminate ISIS’s negative message.⁷ Brian Michael Jenkins, Senior Adviser to the President of the RAND Corporation, later told the Committee, during a January 2016 hearing, that marginalization and alienation are significant motivations for radicalization.⁸

In spite of several challenges, governments must somehow effectively counter terrorist ideologies and narratives to diminish their recruiting and operating capacities.⁹ The United States is bal-

¹See generally, The White House, *National Security Strategy* 20 (2015), available at https://www.whitehouse.gov/sites/default/files/docs/2015_national_security_strategy.pdf.

²Press Release, The White House, Office of the Press Secretary, *Empowering Local Partners to Prevent Violent Extremism in the United States* (Aug. 3, 2011), <https://www.whitehouse.gov/the-press-office/2011/08/03/empowering-local-partners-prevent-violent-extremism-united-states>.

³Naureen Chowdhury Fink & Jack Barclay, *Mastering the Narrative: Counterterrorism Strategic Communication and the United Nations*, Center on Global Counterterrorism 6 (Feb. 2013), http://globalcenter.org/wp-content/uploads/2013/03/Feb2013_CT_StratComm.pdf.

⁴Jerome Bjelopera, Cong. Research Serv., R42553, *Countering Violent Extremism in the United States* 9–13, 15, 17 (2014), <http://www.crs.gov/reports/pdf/R42553>.

⁵*Threats to the Homeland: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015) (statement of Jeh Johnson, Sec’y, Dep’t of Homeland Sec.).

⁶*Jihad 2.0: Social Media in the Next Evolution of Terrorist Recruitment: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 31 (2015).

⁷*Id.* at 63.

⁸*Inside the Mind of ISIS: Understanding Its Goals and Ideology to Better Protect the Homeland: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 77–79 (2016) (statement of Hedieh Mirahmadi, President, World Org. for Res. Dev. & Educ.); National Consortium for the Study of Terrorism and Responses to Terrorism, *Community-Level Indicator of Radicalization: A Data & Methods Task Force*, University of Maryland 7 (Feb. 16, 2010), https://www.start.umd.edu/pubs/START_HFD_CommRadReport.pdf.

⁹*Inside the Mind of ISIS: Understanding Its Goals and Ideology to Better Protect the Homeland: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 35, 36, 55–57, 64, 65, 69–72 (2016) (statements of Hedieh Mirahmadi, President, World Org. for

ancing this national security imperative with protections for freedom of speech and expression.¹⁰ In addition, any government counter-narrative campaign must consider that their target audience will be skeptical of government credibility.¹¹ As Hedieh Mirahmadi, President of the World Organization for Resource Development and Education (WORDE), and Dr. Bernard Haykel, Princeton University Professor of Near Eastern Studies, both testified before the Committee, any government narrative describing ISIS's atrocities is dismissed by the group's followers as an inauthentic misrepresentation of the so-called Caliphate.¹²

According to a National Institute of Justice funded evaluation of an existing domestic CVE program, as well as a separate study by the same researchers, "those best positioned to notice early signs of individuals considering acts of violent extremism likely would be those individuals' friends: perhaps more so than school counselors, clergy, or family members."¹³ During a Committee hearing in November 2015, Mr. Bergen testified that 24 years is the average age of Westerners drawn into the Syrian conflict by the Salafi-jihadist ideology.¹⁴ Mr. Bergen went on to explain that American recruits are particularly active in online jihadist circles.¹⁵ It logically follows that peers best positioned to counter ISIS's ideology are millennials that are active online.

Finally, in an April 2016 hearing focused on United States drug demand, the Committee received testimony from Cheryl Heaton, Dean of the College of Global Public Health at New York University, and Tony Sgro, Chief Executive Officer (CEO) of EdVenture Partners, regarding their specific initiatives to empower youth-driven messaging to counter-narratives of drug demand and violent extremism.

Dr. Heaton, who previously served as President and CEO of Legacy, the leading Foundation dedicated to tobacco control, focused her testimony on a "bold counter-marketing campaign for youth,

Res. Dev. & Educ., and Dr. Lorenzo Vidino, Director, Program on Extremism, The George Washington Univ., and Dr. Jessica Stern, Research Professor, Pardee School for Global Studies, Boston Uni.); *ISIS Online: Countering Terrorist Radicalization & Recruitment on the Internet & Social Media: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs Permanent Subcommittee on Investigations*, 114th Cong. (2016) (statement of Alberto Fernandez, Vice President, The Middle East Media Research Institute); *Jihad 2.0: Social Media in the Next Evolution of Terrorist Recruitment: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 63–64 (2015) (statement of Peter Bergen, Director, National Security Studies Program, New America Foundation).

¹⁰*Jihad 2.0: Social Media in the Next Evolution of Terrorist Recruitment: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 61–62 (2015) (statement of Mubin Shaikh, Author, *Undercover Jihadi*).

¹¹*Inside the Mind of ISIS: Understanding Its Goals and Ideology to Better Protect the Homeland: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 77–80 (2016) (statements of Hedieh Mirahmadi, President, World Org. for Res. Dev. & Educ., and Dr. Bernard Haykel's testimony).

¹²*Id.*

¹³Michael J. Williams, Ph.D., John G. Horgan, Ph.D., & Williams P. Evans, Ph.D., *Evaluation of a Multi-Faceted, U.S. Community-Based, Muslim-Led CVE Program*, National Criminal Justice Reference Service 4, 37, 50, 54, 87, 103 (June 2016), <https://www.ncjrs.gov/pdffiles1/nij/grants/249936.pdf>; Williams et al, THE CRITICAL ROLE OF FRIENDS IN NETWORKS FOR COUNTERING VIOLENT EXTREMISM: TOWARD A THEORY OF VICARIOUS HELP-SEEKING, 8 Behavioral Sciences of Terrorism and Political Aggression 45, 47, 50, 62 (2016), available at <http://www.tandfonline.com/doi/pdf/10.1080/19434472.2015.1101147>.

¹⁴*The Impact of ISIS on the Homeland and Refugee Resettlement: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 73 (2015) (statement of Peter Bergen).

¹⁵*Id.*

truth—now in its 16th year.”¹⁶ That campaign learned from the same research that drove the strategy of the 1950s British-American Tobacco Company advertisements: meet the psychological needs of adolescents to take risks, rebel, fit in, remain independent, self-express, and be respected.¹⁷ Through guerilla-marketing stunts, youth participated in a grassroots campaign in the days before social media to expose how the tobacco industry lied to its customers.¹⁸ In 2002, this initiative resulted in 300,000 fewer youth smokers than predicted.¹⁹

According to Dr. Healton, a critical component to the success of a national campaign to “un-market” and prevent illicit drug use is its ability to produce youth-driven, “unpalatable” ads.²⁰ Dr. Healton testified that certain oversight and “approval” processes “can undermine a public education campaign’s ability to succeed.”²¹

Mr. Sgro’s organization administers an education program to university students. The Peer-To-Peer (P2P): Challenging Extremism program is a grassroots youth-driven contest to empower credible, youthful voices to create countervailing narratives that appeal to and mobilize their peers to proactively undermine violent extremism.²² In the words of Mr. Sgro:

Who better to develop alternative counter narratives to extremist messaging than the very same audience extremists want to recruit. Government has recognized it can’t do it, so it makes perfect sense to enlist tech-savvy youth to be part of the solution to push back on hate, terror, and extremism.²³

The P2P: Challenging Extremism program inspired the language of S. 2418 to codify an educational curriculum and structure based on the P2P model. The Committee believes that DHS university-based centers of excellence could be a driver of CVE innovation, especially if CVE Labs incorporate disciplines not traditionally associated with counterterrorism. For this reason, S. 2418 also modifies current law to include universities that can demonstrate expertise in CVE as designated university-based centers for homeland security.

Under this bill, the Secretary may reprioritize existing grants to such universities to fund CVE Labs. One year after establishing a CVE Lab, the Comptroller General is required to report to the Secretary and appropriate Congressional committees regarding that

¹⁶*America’s Insatiable Demand for Drugs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016) (statement by Cheryl Healton, Dean, College of Global Public Health, New York University).

¹⁷Pete Favat & Bryan C. Price, *The Truth Campaign and the War of Ideas*, *Combating Terrorism Center* 10 (July 28, 2015), <https://www.ctc.usma.edu/posts/the-truth-campaign-and-the-war-of-ideas>.

¹⁸*Id.*

¹⁹Dr. Matthew C. Farrelly et al., EVIDENCE OF A DOSE—RESPONSE RELATIONSHIP BETWEEN “TRUTH” ANTISMOKING ADS AND YOUTH SMOKING PREVALENCE, 95 *American Journal of Public Health* 429 (Mar. 2005), available at <http://ajph.aphapublications.org/doi/pdf/10.2105/AJPH.2004.049692>.

²⁰*America’s Insatiable Demand for Drugs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 7 (2016) (statement by Cheryl Healton, Dean, College of Global Public Health, New York University).

²¹*Id.*

²²*America’s Insatiable Demand for Drugs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. 29–33 (2016) (statement by Tony Sgro, Chief Executive Officer, EdVenture Partners).

²³*Id.* at 29.

Lab's impact on CVE. This bill also requires the Secretary to commission an independent assessment of each CVE Lab's impact, and provide that assessment to Congress.

By defining CVE as "providing positive countervailing alternatives," this bill emphasizes the difference between the intent of new CVE functions and traditional punitive Federal counterterrorism functions. Finally, S. 2418 states congressional findings that campaigns to undermine terrorist recruitment of youth "are credible, authentic, believable, [when] they are created by youth for youth."²⁴

III. LEGISLATIVE HISTORY

Senator Cory Booker and Chairman Ron Johnson introduced S. 2418 on December 17, 2015, which was referred to the Committee on Homeland Security and Governmental Affairs. Senators Gary Peters and Tom Udall joined as cosponsors on January 21 and January 27, 2016, respectively. The Committee considered S. 2418 at a business meeting on February 10, 2016.

Senator Booker and Chairman Johnson offered one amendment in the nature of a substitute, which reflected negotiated changes to the definition of "CVE" and "technology-based CVE solutions" and to the functions of the CVE Lab. The Committee adopted the amendment and ordered the bill, as amended, reported favorably, both by voice vote. Senators present for both the vote on the amendment and the vote on the bill were: Johnson, McCain, Portman, Paul, Lankford, Ayotte, Ernst, Sasse, Carper, McCaskill, Tester, Baldwin, Heitkamp, Booker, and Peters.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section provides the bill's short title, the Countering Online Recruitment of Violent Extremists Act of 2016."

Section 2. Definitions

This section defines the terms "appropriate congressional committees," "center for homeland security," "countering violent extremism," "CVE Lab," "institution of higher education," "participating student," "technology-based CVE solution," and "violent extremism."

Section 3. Findings

Section 3 outlines five Congressional findings related to the use of social media as a terrorist recruitment mechanism and the potential of university-based labs to develop technology-based solutions to effectively counter such online recruitment.

Section 4. Establishment of CVE Labs

Section 4 authorizes the Secretary of DHS, acting through the Under Secretary for Science and Technology, to establish CVE Labs and reprioritize homeland security grants to provide funding for such labs.

²⁴*Id.* at 30.

Section 5. Functions and requirements of CVE Labs

Section 5 requires faculty of institutions of higher education that house a CVE Lab to establish curricula to develop and test technology-based CVE solutions. Participating students shall receive orientations on cross-cultural communications issues and CVE safety issues, learn to incorporate technology-based business development practices, and develop a scalable business plan of their solutions for public and private customers. The faculty shall supervise any deployment of a technology-based CVE solution developed by a student. Faculty shall also develop enduring research tools to support other programs that encourage peer-to-peer CVE solutions. It is also the role of faculty to identify experts who can help students target their solutions to the needs of individuals who are susceptible to recruitment of violent extremism while protecting the civil rights and civil liberties of individuals not engaged in terrorism.

The head of an institution of higher education that houses a CVE Lab shall ensure that participating faculty and students represent an interdisciplinary cross-section that includes disciplines not traditionally associated with counterterrorism.

Section 6. Assessment and report

Section 6 requires the Comptroller General of the United States to submit a report to the Secretary of DHS and appropriate congressional committees on the impact of each CVE Lab, within one year after the lab's establishment.

Section 6 also requires the Secretary of DHS, acting through the Undersecretary for Science and Technology, to commission an independent third-party assessment of each CVE Lab that the Secretary elects to establish and provide such assessment to the appropriate congressional committees within 180 days of the assessment's completion.

Section 7. Functions of centers for Homeland Security

Section 7 amends Section 308 of the Homeland Security Act of 2002 to add "demonstrated expertise in countering violent extremism" to the list of criteria used to designate a college or university as a center for homeland security.

Section 8. Sunset

Section 8 provides a seven-year sunset date for sections 1 through 6. Section 7 is not subject to a sunset.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 12, 2016.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2418, the Countering Online Recruitment of Violent Extremists Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KEITH HALL.

Enclosure.

S. 2418—Countering Online Recruitment of Violent Extremists Act of 2016

S. 2418 would authorize the Department of Homeland Security (DHS) to establish programs at institutions of higher education to develop technology-based approaches to counteract the promotion of violent extremism. Based on information from DHS about similar activities that it currently sponsors, CBO estimates that implementing the bill would not significantly affect the department's spending for university programs.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 2418 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2418 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and any costs incurred by institutions of higher education would result from participating in a voluntary federal program.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported, are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

HOMELAND SECURITY ACT OF 2002

* * * * *

**TITLE III—SCIENCE AND TECHNOLOGY IN SUPPORT OF
 HOMELAND SECURITY**

* * * * *

**SEC. 308. CONDUCT OF RESEARCH, DEVELOPMENT, DEMONSTRATION,
TESTING AND EVALUATION**

(a) * * *

(b) **EXTRAMURAL PROGRAMS.—**

(1) * * *

(2) **UNIVERSITY-BASED CENTERS FOR HOMELAND SECURITY.—**

(A) * * *

(B) **CRITERIA FOR DESIGNATION.—**Criteria for the designation of colleges or universities as a center for homeland security, shall include, but are not limited to, demonstrated expertise in—

* * * * *

(xv) Countering violent extremism.

* * * * *

