



American-Arab Anti-Discrimination Committee

July 12, 2017

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#### In Memoriam

Hala Salaam Maksoud, PhD  
(1943-2002)

Alex Odeh  
(1944-1985)

Anthony Shadid  
(1968-2012)

Congressman William “Mac” Thornberry  
Chairman, House Armed Services Committee  
2216 RHOB  
Washington, DC 20515

Congressman Adam Smith  
Ranking Member, House Armed Services Committee  
2216 RHOB  
Washington, DC 20515

Dear Chairman Thornberry and Ranking Member Smith:

I am contacting you on behalf of the American-Arab Anti-Discrimination Committee (ADC). I write to strongly urge you to reject Amendment 68 introduced by Congressman Franks and Amendment 210 introduced by Congressman Wilson to the H.R. 2810 - National Defense Authorization Act for Fiscal Year 2018.

These amendments are up for debate today and potentially a vote today or tomorrow. As such it is crucial that Congress engages in substantive debate and is educated on the actual implications of such amendments.

Amendment 68 entitled Strategic Assessments of the Use of Violent or Unorthodox Islamic Religious Doctrine to Support Extremist or Terrorist Messaging and Justification is extremely problematic. Foremost, our government does not have the right to determine orthodox faith and make any type of interpretation on religious beliefs. This is akin to the government dictating what is acceptable religion or religious activities. We cannot have the government in our homes, in our churches or in our mosques.

Like CVE, this amendment [focuses on speech, thoughts and beliefs, not actual violence](#). This amendment directly infringes on the First Amendment right and human right to religious freedom. The 2016 U.N. Special Rapporteur Report on CVE Impact on Human Rights and Fundamental Freedoms found that there is too much focus on religious ideology as the driver of terrorism & violent extremism rather than conduct. As such disproportionately focusing resources targeting Arabs and Muslims as suspect and at risk communities is counterproductive.

Additionally, the amendment will directly silence speech and essentially create a Muslim registry and/or black list. As provided under Section (B)(4) “Recommendations for identifying key thought leaders or proponents for these major or significant identifiable Islamic religious doctrines, concepts, or schools of thought.” This is not only unconstitutional but a direct attack on Arab and Muslim communities to criminalize these communities based on identity.



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Individuals may be subject to identification merely because a word used in a legally permissible context is part of the indicators developed by a particular person. Persons will refrain from speech on particular ideas and speech that may reveal identifying immutable characteristics (national origin, religion) out of fear of being identified.

Amendment 210 entitled National Strategy for Countering Violent Extremist Groups is based on CVE, a false and inherently flawed premise that there are identifiable factors that can be linked to the presence of extremism in communities based on national origin, ethnicity and religion. There is no scientific basis to determine at what point a person is radicalized. Nor sound science to prove that the speech of a particular individual on social media indicates that the individual is susceptible or prone to engaging in violent extremism. What occurs in practice is that people that have a particular identity that are readily exhibited and/or engage in particular political activity will be identified and targeted. Speech cannot certify the particular behavior and/or action someone may take.

Furthermore, this amendment improperly lends to support the CVE programs lead by and/or involve law enforcement. With the Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS), and the Department of Justice (DOJ) as the chief agencies implementing the CVE programs, CVE is infiltrating communities from a national security and law enforcement/prosecution/security lenses. Law enforcement agencies including police departments are improperly using community/civic engagement programs for intelligence gathering or surveillance purposes, such initiatives include Shared Responsibility Committees, which call on teachers, faith leaders and social workers to identify students believed to be at the risk of violent extremism.

I strongly urge you to reject these amendments. We cannot allow government sanctioned discrimination based on national origin and religion.

Separation of Church and State is at stake.

Freedom of Speech is at stake.

Freedom of religion is at stake.

Thank you,

ADC Staff Attorney  
Yolanda Rondon, Esq.

cc. Committee on Armed Services