



Council on American-Islamic Relations

ALERT: COMMUNITY GUIDANCE FOR DEPARTMENT OF HOMELAND SECURITY NONPROFIT SECURITY GRANTS AND CVE PROGRAMMING CONCERNS.

2020 DHS Security Grant Programs Solicit Cooperation with Federal Law Enforcement from Nonprofits, Municipal Government, and Transit Corporations

Top-Level Recommendation: In light of significant changes in language and possible scope of DHS Nonprofit Security Grant Program, Muslim community institutions should thoroughly review the Notification of Funding Opportunity (NOFO) prior to submitting applications. These changes, reviewed below, may have implications related to compliance with, and involvement in, other federal policies and practices.

As always, CAIR recommends that community institutions should explore other sources of security funding, including state-based programs that are not aligned with DHS, in order to develop a multifaceted security portfolio.

Background: [DHS's Nonprofit Security Grant Program \(NSGP\)](#), along with six other security related granting initiatives, contains new language that prioritizes cooperation with federal law enforcement in ways that could jeopardize the independence of local communities and municipal governments from federal counter-terrorism and immigration policies and procedures.

Specifically, the following language in the [nonprofit grant program](#) is cause for concern:

- “DHS will be focused on forging partnerships to strengthen information sharing and collaboration in each of these priority areas and looking for recipients to remove barriers to communication and cooperation with DHS and other federal agencies. (p. 2)”
- “To integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts.” (p. 3)
- In describing the breakdown of its highest priority area, “Enhancing the protection of soft targets/crowded places (p. 3),” the call lists the following activities it seeks to support:
 - Operational coordination
 - Public information and warning
 - Intelligence and Information Sharing
 - Interdiction and disruption

The new priorities in the areas of cooperation with federal law enforcement, integration with local fusion centers, and an overall push to collect and share information across local, state, and federal security agencies are outlined in DHS's own [“Key Changes” fact sheet](#).



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The new call also includes an opaque provision that applicants will be screened against reports from the intelligence community: “DHS Intelligence and Analysis (I&A) receives a list of potential NSGP awardee organizations, which it reviews against U.S. intelligence community (IC) reporting. Any potentially derogatory information, as well as any potentially mitigating information, that could assist in determining if a security risk exists is sent to FEMA and is used in making final award decisions (p. 17).” This new dimension to the application process raises concerns about the use and expansion of secret, spurious, and even unconstitutional government databases, such as the [TSDB](#).

Problem: In light of increasing hate crimes, bias incidents, and an overall climate of social polarization, the DHS security grant program for non-profits and houses of worship was welcomed by a broad swath of civil society. These programs prioritized increasing the capacity of civil society in the areas of risk assessment, resilience building, and crisis planning, all items directly related to securing the safety of at-risk communities and institutions. However, the 2020 NOFO goes beyond the mandate and scope of the previous years' programs to simply build up the security capacity of awardee institutions. Rather, this year, the DHS grant programs have all prioritized "intelligence and information sharing" as well as cooperation with federal law enforcement as a targeted outcome of the grant program.

In short, this grant program could be used to enlist civil society organizations in activity that should remain in the purview of law enforcement. In doing so it draws upon language and operations reminiscent of problematic issues such as: predictive policing practices, countering violent extremism frameworks, and anti-sanctuary policies. While these new priorities do not necessarily constitute a mandate of the grant, it is clear from the new guidance that programs and institutions that accept and participate in the grant program will be favored over others that do not. **These changes most likely are intended to target civil society institutions such as sanctuary churches that explicitly oppose DHS policing priorities. In effect, the new DHS provisions produce a de facto quid pro quo that pits the security of vulnerable communities against cooperation with law enforcement.**

CAIR is continuing to examine the potential implications of this new language for grant applicants and will issue updated guidance as it becomes available.

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