

United States Senate Committee On

HOMELAND SECURITY & GOVERNMENTAL AFFAIRS

Ranking Member Gary Peters

A stylized eagle with spread wings is centered in the background. Above the eagle's head are five gold stars. The eagle's body is dark blue, and its wings are a lighter shade of blue. The entire graphic is set against a dark blue background.

FAILURE TO PROTECT: How the Trump Administration Gutted, Politicized, and Weaponized America's Counterterrorism Infrastructure

HSGAC Minority Staff Report

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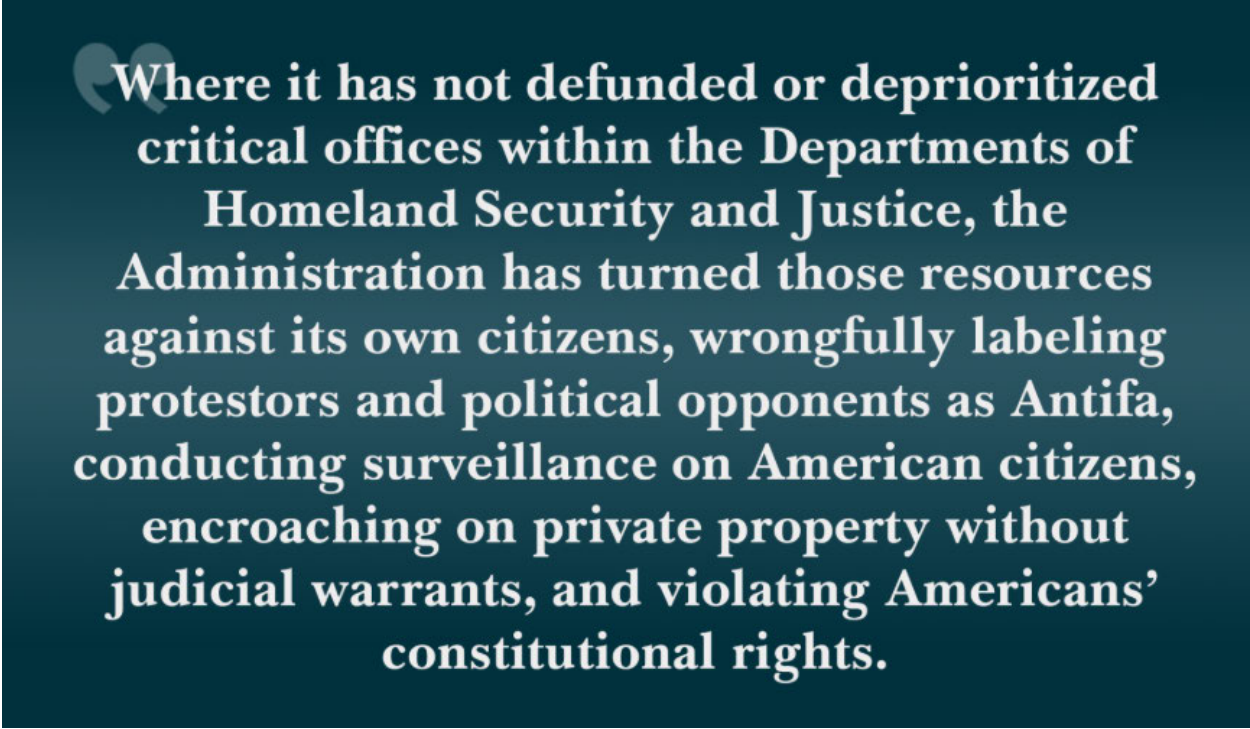
Failure to Protect: How the Trump Administration Guttled, Politicized, and Weaponized America's Counterterrorism Infrastructure

Findings

- The Administration has made Americans less safe by cutting the federal workforce by thousands and grants by millions of dollars, but also by reallocating staff and refocusing priorities away from countering threats posed by terrorism.
- The Administration has gutted the Department of Justice (DOJ) and the Federal Bureau of Investigation's (FBI) capabilities. DOJ and FBI have lost more than 15,000 employees and the Administration has specifically targeted more than 200 experienced lawyers and agents who were involved in investigations and prosecutions they disfavor, including those related to the January 6th attack on the Capitol and any investigations tied to President Trump.
- The Administration has eviscerated key Department of Homeland Security (DHS) components –removing more than 1,300 personnel involved in preventing, countering, and responding to terrorism.
- Almost \$1 billion in national security and public safety grants intended to protect communities have been paused, cancelled, and politicized – weakening state, local, Tribal, territorial, and private sector capacity.
- Law enforcement officers and agents, intelligence analysts, and lawyers from across the government have been reassigned to focus on immigration enforcement to the detriment of the national security and homeland security missions from which they were pulled.
- The designation of cartels and gangs as foreign terrorist organizations has redefined terrorism and stretched the capacity of the country's counterterrorism personnel and resources.
- The illegal designation of Antifa as a domestic terrorist organization (a designation that does not exist in law), the politically motivated National Security Presidential Memorandum 7 (NSPM-7), and the Administration's counterterrorism strategy have all further redefined terrorism and redirected counterterrorism resources away from lethal threats to the nation in favor of persecuting the President's political opponents.

Recommendations

- The Administration must immediately stop firing individuals for work they did under previous Administrations and rehire anyone fired for political reasons. An employee's assignments to investigate matters that President Trump and his allies disagree with is not grounds for dismissing employees.
- To ensure proper prioritization of resources, the Administration must immediately provide Congress with the statutorily required report on domestic terrorism that it has failed to produce.
- DOJ and DHS must immediately allocate all grants and remove any unnecessary terms and conditions – or other barriers – that have slowed grant awards out to recipients.
- DHS should restore funding to the *Terrorism and Targeted Violence (T2V) in the United States database* managed by the University of Maryland that was intended to fill a gap in understanding terrorism in the United States.
- The Administration should return law enforcement officers and agents, intelligence analysts, and lawyers from across the government to their primary missions.
- Congress should pass legislation revoking NSPM-7.
- The Administration should preserve all records related to countering, preventing, and responding to terrorism, including decision making regarding staffing, grants, and implementation of NSPM-7.



Where it has not defunded or deprioritized critical offices within the Departments of Homeland Security and Justice, the Administration has turned those resources against its own citizens, wrongfully labeling protestors and political opponents as Antifa, conducting surveillance on American citizens, encroaching on private property without judicial warrants, and violating Americans' constitutional rights.

Executive Summary

Since the first day of his second term, President Trump and his Administration have dismantled critical national security agencies and programs and diverted significant resources and attention away from the fight against terrorism. These actions are the result of a combination of ideologically motivated firings and realignment of personnel and the wielding of government resources – from grants to counterterrorism authorities – as a weapon against political opponents.

The Administration's actions have left Americans far more vulnerable to a potential terrorist attack, and left law enforcement officers and agents without the tools to protect our nation. The Administration has canceled critical funding, fired or reassigned essential national security personnel, and prioritized targeting its political opponents and indiscriminate mass deportations at a time when national security experts warn that the threat of violence from U.S.-based violent extremists and overseas terrorists remains high. Where it has not defunded or deprioritized critical offices within the Department of Homeland Security (DHS) and the Department of Justice (DOJ), the Administration has turned those resources against its own citizens, wrongfully labeling protestors and political opponents as Antifa, conducting surveillance on American citizens, encroaching on private property without judicial warrants, and violating Americans' constitutional rights.

The Administration started a war with Iran, a leading state sponsor of terrorism, and threatened to topple the Iranian regime – a war from which it has still not found a clean exit. Creating an existential threat to the Iranian regime and using the likelihood of continued bombing as a means of implementing a ceasefire raises the likelihood that Iran or its proxies, including Hezbollah,

Shia militias in Iraq, Hamas, the Houthis in Yemen, and others, will use all the tools at their disposal, including terrorism against Americans inside and outside the United States. In May, the potential for terrorism by Iran or its proxies was demonstrated to be an active threat with the indictment of Mohammad Baqer Saad Dawood al-Saadi, a high-level leader of Kata'ib Hezbollah (KH), an Iraqi Shia militia and Iranian proxy.¹ Al-Saadi was indicted for his involvement in terror attacks against U.S. and Israeli interests in Europe and intent to plan attacks in the United States in an effort to compel the United States and Israel to end the war.²

In May, the Administration also released its counterterrorism strategy, which further orients the Administration away from addressing threats based on information and analysis presented by apolitical experts and instead, makes clear that it intends to carry out counterterrorism based on its ideological beliefs, rather than on facts and data.

This report catalogues how, almost 25 years after the attacks of September 11, 2001, the Trump Administration's misalignment of resources and ideologically driven decision-making on what counts as terrorism has created vulnerabilities in America's national security preparedness and, in this moment of great threat, ultimately jeopardizes the safety of the American people.

The Post-9/11 Counterterrorism Infrastructure

The terrorist attacks of September 11, 2001 brought into sharp focus the lack of coordination and information sharing between federal, state, local, Tribal, and territorial (SLTT) law enforcement and intelligence agencies that allowed Al Qaeda hijackers to enter the country, take flying lessons, and commit the largest foreign terrorist attack on U.S. soil.³ In the weeks, months, and years after the attacks, the George W. Bush Administration and lawmakers built a vast system of counterterrorism intelligence and law enforcement authorities and infrastructure in an effort to stop future attacks.⁴

With strong pressure from the Bush Administration, Congress passed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) shortly after the attacks.⁵ The USA PATRIOT Act gave the government a slew of new and expanded tools for surveillance, data and information

¹ *Arrest of Iraqi Terror Suspect with Alleged Links to Iran's Quds Force is Astonishing but Not Surprising*, The Guardian (May 16, 2026) (www.theguardian.com/world/2026/may/16/mohammad-baqer-saad-dawood-al-saadi-iran-guards-hayi).

² Complaint (Apr. 30, 2026), *U.S. v. Al-Saadi*, S.D.N.Y. (No. 26 MAG 1622) (www.justice.gov/usao-sdny/media/1440956/dl).

³ Brookings Institute, *9/11 and the Reinvention of the US Intelligence Community* (Aug. 27, 2021) (www.brookings.edu/articles/9-11-and-the-reinvention-of-the-u-s-intelligence-community/).

⁴ *Id.*

⁵ Legal Clarity, *When Was the Patriot Act Passed: Signing Date and History* (Feb. 27, 2026) (legalclarity.org/when-was-the-patriot-act-passed-signing-date-and-history/).

collection and sharing, and immigration and border enforcement.⁶ Congress then passed the Homeland Security Act of 2002, creating the Department of Homeland Security by combining agencies from across the government into a department with the joint mission of countering, preventing, and responding to terrorism – while at the same time maintaining those agencies’ previous missions.⁷ During that period, President Bush issued presidential orders establishing the functions of the expanded intelligence community and incorporating the government’s disparate watchlists into one terrorist watchlist system.⁸

Congress also established the National Commission on Terrorist Attacks Upon the United States, frequently called the 9/11 Commission, to assess preparedness and response to the attacks.⁹ In its final report, the 9/11 Commission recommended a reorganization of the federal government to make it nimbler in addressing transnational challenges in a new post-Cold War era.¹⁰ The recommendations included creating a National Counterterrorism Center to consolidate “strategic intelligence and operational planning;” unifying the intelligence community under one “National Intelligence Director;” bringing together all the “participants in the counterterrorism effort and their knowledge in a network-based information-sharing system that transcends traditional governmental boundaries;” strengthening and consolidating congressional oversight; and “strengthening the Federal Bureau of Investigation (FBI) and homeland defenders.”¹¹

Congress followed many of these recommendations when it passed the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), establishing an Office of the Director of National Intelligence (ODNI) and the National Counterterrorism Center (NCTC), and expanding the FBI’s role in intelligence.¹² With time and multiple reauthorizations, these authorities and tools have become a wide-ranging counterterrorism infrastructure.

From the beginning of this reorganization, some policy makers and advocates expressed concerns about the consolidation of so much power in the executive branch and the cost to privacy and civil liberties.¹³ Some of the abuses of these authorities that were uncovered over time – like the NSA’s bulk data collections – affected all Americans.¹⁴ But the government’s overwhelming focus on international, and specifically Islamist, terrorism led to ongoing concerns

⁶ Pub. L. No. 107–56 (2001) (The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001).

⁷ Pub. L. No. 107–296 (2002) (The Homeland Security Act of 2002).

⁸ Exec. Order 12333, 46 Fed. Reg. 59941 (Dec. 4, 1981); Homeland Security Presidential Directive-6: Directive on Integration and Use of Screening Information to Protect Against Terrorism (Sep. 16, 2003); Homeland Security Presidential Directive-11: Comprehensive Terrorist Related Screening Procedures (Aug. 27, 2004).

⁹ Pub. L. No. 107-306 (2002); Pub. L. No. 108-207 (2004).

¹⁰ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report* (pp. 399-400) (July 22, 2004).

¹¹ *Id.*

¹² Pub. L. No. 108-458 (2004) (The Intelligence Reform and Terrorism Prevention Act of 2004).

¹³ Jasmine Farrier, *The Patriot Act’s Institutional Story: More Evidence of Congressional Ambivalence*, PS: Political Science and Politics (Jan. 2007) (pp. 93-97).

¹⁴ *Appeals Court Rules NSA’s Bulk Phone Data Collection Illegal*, The Hill (Sep. 2, 2020) (thehill.com/policy/national-security/514854-court-rules-nsas-bulk-phone-data-collection-illegal/).

that the use of these tools and authorities primarily targeted Muslim, Arab, and South Asian Americans.¹⁵ At the same time, under Republican and Democratic Administrations alike, the FBI and Department of Justice did not expend the same level of resources on threats from white supremacists and anti-government extremists as it did on Islamist terrorism.¹⁶ The question of what terrorism is and how to combat it remained an ongoing question even as this system was developed and became the infrastructure Americans are familiar with today.

The Rise of Domestic Terrorism

In the mid-2010s, the threat from white supremacist and anti-government extremists became visible and acute.¹⁷ White supremacists carried out multiple mass attacks including at Emanuel African Methodist Episcopal Church in Charleston, South Carolina, in 2015; the Tree of Life Synagogue in Pittsburgh, Pennsylvania, in 2018; and a Walmart in El Paso, Texas, in 2019.¹⁸

Despite this growing threat, the first Trump Administration initially refused to acknowledge the problem of white supremacist violence and then sought to use its counterterrorism tools to target Black Lives Matter and Antifa instead.¹⁹ Some counterterrorism officials in the Administration attempted to raise the issue of white supremacist domestic terrorism and push for a strategic response, but were stymied by the Administration's overwhelming focus on immigration enforcement, its dysfunction, and concerns about classifying these issues as domestic terrorism.²⁰

During this period, the FBI reclassified and combined the ideological motivations driving domestic terrorists, creating a category called "racially motivated violent extremism," which lawmakers and advocates alike feared was a way to mask the growing threat of white supremacists.²¹ With the 2020 protests after the killing of George Floyd, the Administration reversed course and embraced the term domestic terrorism, but to target Antifa. The Administration attempted to designate Antifa as a "domestic terrorist organization," despite the

¹⁵ *Post-9/11 Surveillance Has Left a Generation of Muslim Americans in a Shadow of Distrust and Fear*, PBS News (Sep. 16, 2021) (www.pbs.org/newshour/nation/post-9-11-surveillance-has-left-a-generation-of-muslim-americans-in-a-shadow-of-distrust-and-fear).

¹⁶ Brennan Center for Justice, *Wrong Priorities on Fighting Terrorism*, (Oct. 30, 2018) (www.brennancenter.org/media/120/download/Report_Wrong_Priorities_Terrorism.pdf?inline=1).

¹⁷ Government Accountability Office, *Domestic Terrorism: Further Actions Needed to Strengthen FBI and DHS Collaboration to Counter Threats* (GAO-23-104720) (Feb 2023).

¹⁸ *Id.*

¹⁹ "Go After the Troublemakers": How Trump and Barr Targeted the Black Lives Matter Movement, Mother Jones (Nov. 1, 2020) (www.motherjones.com/politics/2020/11/go-after-the-troublemakers-how-trump-and-barr-targeted-the-black-lives-matter-movement/).

²⁰ *They Tried to Get Trump to Care About Right-Wing Terrorism. He Ignored Them*, Politico (Aug. 26, 2020) (www.politico.com/news/2020/08/26/trump-domestic-extremism-homeland-security-401926).

²¹ *Leaked Documents Contain Major Revelations About the FBI's Terrorism Classifications*, Just Security (Sep. 11, 2019) (www.justsecurity.org/66124/leaked-documents-contain-major-revelations-about-the-fbis-terrorism-classifications/).

fact that no such designation exists in statute.²² According to a whistleblower, DHS leadership instructed DHS's Intelligence and Analysis Office (I&A) to downplay the threat of white supremacist violence while playing up the threat of Antifa to match President Trump's rhetoric.²³

As a result, Ranking Member Peters included a provision in law requiring the FBI and DHS to provide Congress and the public with more information about the threat of domestic terrorism, and what the government was doing to address this threat. The Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA) required the two agencies to provide five yearly reports about their definitions of domestic terrorism, statistics about the domestic terrorism threat, and investigations and prosecutions of domestic terrorism cases, along with information about how the two agencies were allocating resources to domestic terrorism threats.²⁴ The provision was intended to address the gap in information available to policymakers and the public about these threats and ensure agencies were properly allocating resources. It has now been extended for an additional five years in the recent FY 2026 Department of Homeland Security Appropriations Act.²⁵

The Biden Administration came into office with a focus on domestic terrorism that began to shift resources back to the most lethal threat to Americans at the time. President Biden put out the first national strategy to counter domestic terrorism and implemented it across multiple agencies.²⁶ His Administration also produced some of the reports Congress required under the FY 2020 NDAA – each one slightly clearer in defining and enumerating the threats from specific domestic terrorists, but still insufficient in meeting the provision's requirements.²⁷ Moreover, the Biden Administration never released the required 2024 report, and no report has come out during the second Trump Administration.

²² Politico, *supra* n.20.

²³ *DHS Whistleblower Says He Was Ordered to Highlight Leftist Groups' Threats*, NPR (Sep. 10, 2020) (www.npr.org/2020/09/10/911349849/dhs-whistleblower-says-he-was-ordered-to-highlight-leftist-groups-threats).

²⁴ Pub. L. No. 116-92, Sec. 5602 (2019) (The National Defense Authorization Act of 2020).

²⁵ *Homeland Security and Further Additional Continuing Appropriations Act of 2026*, Pub. L. 119-86.

²⁶ The White House, *National Strategy for Countering Domestic Terrorism* (June 2021) (bidenwhitehouse.archives.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf).

²⁷ Federal Bureau of Investigation & Department of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism* (May 2021); Federal Bureau of Investigation & Department of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism* (Oct. 2022); Federal Bureau of Investigation & Department of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism* (Jun. 2023).

The Current Threat Landscape

In 2024, then-FBI Director Christopher Wray testified before Congress about the continued heightened threat environment in the United States from both foreign and domestic terrorists.²⁸ His statements aligned with I&A's 2025 Homeland Security Threat Assessment, released on October 2, 2024, which stated that "the threat of violence from US-based violent extremists ... will remain high."²⁹ Specifically, "lone offenders and small groups" would pose the greatest threat.³⁰ The Center for Strategic and International Studies' Global Terrorism Threat Assessment 2025, released in March 2025, found that domestic terrorism represented a greater threat to the U.S. than international terrorist organizations, and warned of continued threats from international terror groups in Africa and the Middle East.³¹

Unfortunately, 2025 validated the concerns raised by Director Wray and the 2025 Homeland Security Threat Assessment about ongoing domestic terrorist threats. Political violence and acts of targeted violence continued to threaten our communities throughout 2025. Despite ongoing challenges with the federal government's tracking and sharing of data about domestic terrorism threats, external sources continue to shed light on such incidents in the U.S. For example, according to the Gun Violence Archive, there were a total of 408 mass shootings, including both terrorist attacks and targeted violence, in the United States last year.³² There were also at least 50 incidents of gun violence at or near houses of worship in 2025.³³ Several deadly attacks against churches in Michigan and Minnesota, an arson attack on a Florida synagogue, and the arrest of a heavily armed Alabama man who made threats against rabbis and an imam demonstrate the

²⁸ Director Christopher A. Wray, Federal Bureau of Investigations, Statement for a Hearing Titled "Oversight of the Federal Bureau of Investigation" (July 24, 2024).

²⁹ Department of Homeland Security, Office of Intelligence and Analysis, *Homeland Threat Assessment 2025*, (Oct. 2, 2024) (www.dhs.gov/sites/default/files/2024-10/24_0930_ia_24-320-ia-publication-2025-hta-final-30sep24-508.pdf).

³⁰ *Id.*

³¹ Center for Strategic and International Studies, *Global Terrorism Threat Assessment 2025* (Mar. 28, 2025) (www.csis.org/analysis/global-terrorism-threat-assessment-2025).

³² See Gun Violence Archive (www.gunviolencearchive.org) (accessed Jan. 6, 2026). Targeted violence has generally been defined to be a broader set of planned and targeted attacks including mass shootings and hate crimes, which includes terrorist attacks.

³³ *Get the Facts: How Common is Violence at Churches, Houses of Worship?*, WCVB (Oct. 15, 2025) (www.wcvb.com/article/gun-violencechurchesamerica/69001647#:~:text=Gun%20violence%20at%20houses%20of,and%20death%20counts%20may%20change).

ongoing threat to faith-based communities.³⁴ These threats continued into 2026 with an attack on Temple Israel in Michigan and the Islamic Center of San Diego in California.³⁵

Additionally, attacks against politicians, judges, and other elected officials continued to rise. In the first half of 2025, 35% of violent events in America targeted U.S. government personnel or facilities – more than twice the rate in 2024.³⁶ The assassination of Minnesota House of Representatives Speaker Emerita Melissa Hortman and her husband Mark Hortman, the murder of Charlie Kirk, as well as an arson attack on Pennsylvania Governor Josh Shapiro’s residence, and the most recent attempted attack on the President at the White House Correspondents’ Association Dinner highlight the increased need to address political violence.³⁷ At the same time, the American and Israeli military operation in Iran in 2025 and the current conflict with a leading state sponsor of terrorism widened risks of retaliatory attacks from Iran and its network of proxies.³⁸ The potential for increased threats were not only from Iran and its proxies – as demonstrated by the Al-Saadi indictment – but also from other terrorist organizations who might capitalize on any anger at the war to encourage individuals to carry out attacks.

To date, three attacks in the United States are being investigated as acts of terrorism tied to the war with Iran and the greater regional conflict. A deadly shooting in Austin, Texas, occurred the morning immediately after the U.S. began bombing Iran and a Hezbollah-linked attack on a

³⁴ *What We Know About the Deadly Shooting at a Michigan Mormon church*, The Associated Press (Sep. 29, 2025) (<https://apnews.com/article/michigan-church-shooting-what-to-know-2053dac7b632f584db6f584125b40b48>); *Punta Gorda Man Accused of Synagogue Arson, Family Alerts Police*, WINK (Sep. 23, 2025) (www.winknews.com/news/lee/punta-gorda-man-accused-of-synagogue-arson-family-alerts-police/article_5c1036d0-1ff7-4944-936a-ff2533bd7eec.html); *‘This Means You Will Die’: Alabama Man Accused of Threatening Religious Leaders Across Southeast Faces Federal Charge*, FOX10 News, (Nov. 3, 2025) (www.fox10tv.com/2025/11/04/this-means-you-will-die-alabama-man-accused-threatening-religious-leaders-across-southeast-faces-federal-charge/).

³⁵ *Suspect in Detroit-area Synagogue Attack is Dead, Officials Say*, CBS News (Mar. 13, 2026) (www.cbsnews.com/detroit/news/police-respond-active-shooter-situation-at-temple-israel/); *The Teens Who Attacked the Islamic Center of San Diego Were Latest to Cite Prior Atrocities*, AP News (May 21, 2026) (apnews.com/article/christchurch-islamic-center-mosque-san-diego-47582ddae2690a0205e2af6439ee9e65).

³⁶ *Right-Wing Extremist Violence is More Frequent and More Deadly Than Left-Wing Violence – What the Data Shows*, The Conversation (Sep. 17, 2025) (theconversation.com/right-wing-extremist-violence-is-more-frequent-and-more-deadly-than-left-wing-violence-what-the-data-shows-265367); *Terrorism and Targeted Violence (T2V) in the United States, A comprehensive record of terrorism and targeted violence in the United States*, (www.start.umd.edu/t2v).

³⁷ *The Vicious Tone of National Politics Pollutes Minnesota After Shooting*, BBC (Jun. 17, 2025) (www.bbc.com/news/articles/c2le1r24py1o); *Charlie Kirk Assassination Highlights Rising Political Violence in U.S.*, Capital B News (Sep. 12, 2025) (capitalbnews.org/charlie-kirk-trump-political-violence-guns/); *How the Firebombing of His Home Changed Josh Shapiro*, The New York Times (Oct. 27, 2025) (www.nytimes.com/2025/10/27/us/politics/josh-shapiro-political-violence.html); *White House Correspondents’ Dinner Shooting: Suspect Described Himself as ‘Friendly Federal Assassin’ in Letter, Sources Say*, ABC News (Apr. 27, 2026) (abcnews.com/US/live-updates/whca-dinner-shooting-live-updates-suspect-armed-multiple/?id=132390623).

³⁸ *As U.S. Braces for Iranian Attack, a ‘Brain Drain’ Weakens its Defenses, Former Officials Say*, NBC News (Jun. 23, 2025) (www.nbcnews.com/politics/national-security/trump-brain-drain-weakens-fbi-doj-us-braces-iran-attack-defenses-rcna214182); *What Does the Iran War Mean for the Threat of Attacks in the U.S.? Here’s What Experts Say*, Time (Mar. 14, 2026) (time.com/article/2026/03/13/iran-war-us-attacks-threat-cyberattacks-drones-terrorism-proxies/).

synagogue in Michigan occurred just days later.³⁹ Nevertheless, reporting suggests that a threat bulletin from FBI, DHS, and the NCTC that highlighted this threat for SLTT law enforcement, to help them prepare and respond to these attacks, was suppressed by the White House.⁴⁰

DHS has not released the 2026 Homeland Security Threat Assessment as of this publication, but a leaked draft mostly parallels the 2025 threat assessment in emphasizing the heightened level of threats to the homeland, both foreign and domestic, from lone offenders or small cells.⁴¹ However, it differs in who and what the Administration deems and prioritizes as the most pressing threat. The draft introduces “class-based or economic grievances” as a potential motivating factor for acts of violence by domestic violent extremists, a novel term not defined in the draft.⁴² Furthermore, the draft claims that domestic threat actors in 2026 will increasingly target government facilities and law enforcement personnel conducting immigration enforcement activities – specifically pointing to a July 2025 incident involving a shooting outside of an Alvarado, Texas ICE detention facility which the Justice Department argued was carried out by an “Antifa cell.”⁴³ Although the individuals in Texas were found guilty and sentenced with terrorism enhancements, many analysts question the government’s case and the severe penalties for individuals who neither committed nor planned to commit an act of violence.⁴⁴ While 2025 did see a small increase in violence from the extreme left, this threat remains at very low levels and does not compare to the historic levels of violence from the far-right and foreign terrorists. It is also hard to gauge trends, intents, and capabilities given the ideological nature of intelligence under this Administration discussed below, as well as the continued lack of government data and transparency, particularly with regards to domestic terrorism.⁴⁵

³⁹ *F.B.I. Investigates Whether Texas Bar Shooting Was Act of Terror*, The New York Times (Mar. 1, 2026) (www.nytimes.com/2026/03/01/us/austin-shooting-bufords-6th-street.html); *Michigan Synagogue Attack Was ‘Inspired by Hezbollah,’ Officials Say*, The New York Times (Mar. 30, 2026) (www.nytimes.com/2026/03/30/us/michigan-synagogue-attack-hezbollah.html).

⁴⁰ *White House Blocks Intelligence Report Warning of Rising US Homeland Terror Threat Linked to Iran War*, Daily Mail (Mar. 6, 2026) (www.dailymail.co.uk/news/article-15622933/White-House-blocks-warning-rising-threat-linked-Iran-war.html).

⁴¹ *Leaked Doc: Homeland Security’s Domestic Terror Obsession*, Ken Klippenstein (Jan. 21, 2026) (www.kenklippenstein.com/p/leaked-doc-homeland-securitys-domestic).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Alarm Over ‘Extreme’ Sentences for Anti-ICE Protesters Convicted of Terrorism*, The Guardian (June 26, 2026) (www.theguardian.com/us-news/2026/jun/26/texas-protesters-anti-ice-convictions).

⁴⁵ Center for Strategic and International Studies, *Ideological Trends in U.S. Terrorism* (Sep. 26, 2025) (www.csis.org/analysis/ideological-trends-us-terrorism).

The Politicization of Intelligence in the Second Trump Administration

The second Trump Administration has so far demonstrated a similar approach to his first Administration in terms of obscuring and politicizing the terrorist threat. Its first Annual Intelligence Community (IC) Threat Assessment – the guiding document for the IC – failed to mention domestic terrorism, a notable omission that is inconsistent with previous years of reporting.⁴⁶ This action represented a wider effort to limit the amount of information tracked or acknowledged by the government about domestic terrorism threats. For example, the Administration quietly removed a DOJ study from its website showing that since 1990, far-right extremist attacks have outpaced all other types of terrorism and domestic violent extremism.⁴⁷ And DHS canceled a contract with the University of Maryland’s National Consortium for the Studies of Terrorism and Responses to Terrorism that would have fulfilled the intent of the FY 2020 NDAA FBI/DHS domestic terrorism reporting requirement by cataloguing all instances of targeted violence and terrorism.⁴⁸ While the University of Maryland has been able to independently fund the *Terrorism and Targeted Violence (T2V) in the United States* database, the Center has had to pick and choose parameters to track and one that it has left out – motivation – creates a central data gap.⁴⁹ On the other hand, the Administration was quick to label two protestors who were killed in Minneapolis at the hands of immigration enforcement officials as “domestic terrorists” despite a lack of evidence.⁵⁰

The politicization of intelligence under former Director of National Intelligence Tulsi Gabbard and former Acting Director Bill Pulte raised concerns about whether Congress and the American people could trust the intelligence coming from the IC. Early in her term, Gabbard fired the heads of the National Intelligence Council after the leak of details of an analysis that contradicted the Administration’s position on the links between Tren de Aragua, designated a foreign terrorist organization, and the Venezuelan government, and efforts by her office to change the analysis.⁵¹ The efforts to alter the analysis came from Joe Kent, who went on to

⁴⁶ Office of the Director of National Intelligence, *ANNUAL THREAT ASSESSMENT OF THE U.S. INTELLIGENCE COMMUNITY* (Mar. 2025).

⁴⁷ *DOJ Quietly Removes Study Showing Right Wing Attacks ‘Outpace’ Those by Left*, The Hill (Sep. 17, 2025) (www.thehill.com/homenews/administration/5507682-doj-removes-far-right-extremism-study/).

⁴⁸ National Consortium for the Study of Terrorism and Responses to Terrorism, *Statement on the Cancellation of T2V* (Mar. 25, 2025) (www.start.umd.edu/news/statement-cancellation-t2v).

⁴⁹ Communication with the University of Maryland National Consortium for the Study of Terrorism and Responses to Terrorism (June 24, 2026).

⁵⁰ *DHS Keeps Making False Claims About People. It’s Part of a Broader Pattern*, NPR (Jan. 31, 2026) (www.npr.org/2026/01/31/nx-s1-5690124/ice-alex-pretti-immigration-unproven-claims-dhs-enforcement-arrests).

⁵¹ *Official Pushed to Rewrite Intelligence So It Could Not Be ‘Used Against’ Trump*, The New York Times (May 20, 2025) (www.nytimes.com/2025/05/20/us/politics/gabbard-intelligence-venezuelans-tren-de-aragua-trump.html); *When Intelligence Stops Bounding Uncertainty: The Dangerous Tilt Toward Politicization under Trump*, Just Security (Jun. 12, 2025) (www.justsecurity.org/114297/trump-administration-politicized-intelligence/).

serve as director of the NCTC until resigning in protest over the U.S.-Israeli attacks against Iran in March 2026.⁵²

Gabbard also established a Directors Initiative Group, which wound down after 10 months, that she tasked with rooting out the “weaponization” of the intelligence community.⁵³ She placed a close advisor in the office of the Intelligence Community Inspector General (IG), a deeply disturbing move that undermined the independence of the IG.⁵⁴ On February 20, 2026, the Central Intelligence Agency (CIA) took the unusual step of formally withdrawing previous reports because of alleged bias, including at least one report on women’s roles in violent white nationalist movements in Canada and Europe for what they claimed was a poor use of CIA resources.⁵⁵ All of these actions send a clear signal to intelligence community professionals that their leadership has a certain agenda beyond providing the best intelligence analysis, a move which undermines the integrity of the products coming from the IC and makes it hard to know what threats are not being prioritized or are being completely ignored.

The latest results of an annual CIA Office of the Ombudsman for Analytic Objectivity internal survey bear out some of these concerns. The survey found that there is a significant increase in the number of CIA employees who are concerned about the objectivity of analysis being undermined by political influence in the past year.⁵⁶ Additionally, the written responses showed a majority objected to Gabbard’s actions during her tenure, pointing primarily to the baseless revocations of security clearances of more than three dozen current and former national security officials along with the firing of the National Intelligence Council heads.⁵⁷

The most recent Annual Threats Assessment of the Intelligence Community, released March 17, 2026, also bears out fears of politicized intelligence, particularly with regards to terrorism and Iran.⁵⁸ It neglects to mention Iran’s commitment “to its decade-long effort to develop surrogate networks inside the United States,” which was mentioned in the 2024 and 2025 Annual Threat Assessments.⁵⁹ It makes no mention of Hezbollah trying to target the United States and only says

⁵² *Top Counterterrorism Official Kent Resigns Over Trump’s Iran war, Says Iran Posed No Imminent Threat*, AP News (Mar. 17, 2026) (apnews.com/article/trump-iran-war-kent-resignation-e2e17a76d79617a68370f076c0291208).

⁵³ *Exclusive: Trump’s Spy Chief Gabbard Winds Down Intelligence Task Force*, Reuters (Feb. 10, 2026) (www.reuters.com/world/trumps-spy-chief-gabbard-winds-down-intelligence-task-force-2026-02-10/).

⁵⁴ *Gabbard Placed Top Adviser Inside ODNI’s Watchdog Office, Officials Say*, The Washington Post (Jun. 5, 2025) (www.washingtonpost.com/politics/2025/06/05/tulsi-gabbard-odni-watchdog-signalgate/).

⁵⁵ *CIA Withdraws Nearly 20 Intelligence Reports Citing Bias*, The Washington Post (Feb. 21, 2026) (www.washingtonpost.com/national-security/2026/02/21/cia-bias-covid-lgbtq-white-nationalism/).

⁵⁶ *CIA Officers Can Sense the Threat Within*, The Atlantic (www.theatlantic.com/national-security/2026/07/cia-trump-intelligence-survey-gabbard/687865/).

⁵⁷ *Id.*

⁵⁸ Office of the Director of National Intelligence, *2026 Annual Threat Assessment of the U.S. Intelligence Community* (Mar. 2026) (www.dni.gov/index.php/newsroom/reports-publications/reports-publications-2026/4141-2026-annual-threat-assessment).

⁵⁹ Office of the Director of National Intelligence, *2024 Annual Threat Assessment of the U.S. Intelligence Community* (Mar. 2024) (www.dni.gov/index.php/newsroom/reports-publications/reports-publications-2024/3787-2024-annual-threat-assessment-of-the-u-s-intelligence-community); Office of the Director of National Intelligence,

Iran will target the United States if the regime survives – even though the regime is fighting an existential battle and has a history of using links to its proxies and criminal groups to target Americans, suggesting that the regime would use terrorism before it collapses, not just if it survives.⁶⁰

The document is also flawed in other ways. It conflates groups like Al Qaeda and Islamic State with Hezbollah, even though the first two are Sunni and Hezbollah is Shia, they have different origins, different priorities, and are often at odds. The assessment claims that “radical Islam” is a “fundamental threat to freedom and foundational principles that underpin Western Civilization,” suggesting that Western civilization cannot survive the attacks of these groups despite twenty-five years of evidence that proves otherwise.⁶¹ Additionally, it makes no mention of domestic terrorism including lone actors, white supremacists, or threats to U.S. elections.

At the same time, there are signs that the Administration is aggregating data and information about Americans that should not be integrated into IC holdings through its efforts to break down data silos and coordinate across law enforcement and intelligence efforts. Reporting from ProPublica suggests that the Administration is exploring how to provide wide access to a database previously managed by the Organized Crime Drug Enforcement Task Forces (OCDETF), a DOJ component that has been replaced by new Homeland Security Task Forces.⁶² According to DOJ, the database “constitutes the single largest repository of federal and foreign investigative reporting throughout the federal government,” including information about Americans who have committed no crimes.⁶³ DOJ put strict access controls on this database, which includes data from federal law enforcement agencies, and STTL and foreign partners not only about subjects of criminal investigations but witnesses and other members of the public. ProPublica reported that NCTC was trying to take over the database, despite the large amount of holdings about Americans, many of whom have no nexus to terrorism – an unnecessary and dangerous arrangement.⁶⁴ The Homeland Security Task Force National Coordinating Committee (HSTF NCC) leadership, however, claim that they have maintained this database as the

2025 Annual Threat Assessment of the U.S. Intelligence Community (Mar. 2025)

(www.dni.gov/index.php/newsroom/reports-publications/reports-publications-2025/4058-2025-annual-threat-assessment).

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Trump Administration Moves to Allow Intelligence Agencies Easier Access to Law Enforcement Files*, ProPublica (Feb. 25, 2026) (www.propublica.org/article/trump-cia-law-enforcement-records-privacy-intelligence-community)

⁶³ Department of Justice, *Privacy Impact Assessment for the OCDETF Fusion Desktop Application* (Apr. 15, 2024).

⁶⁴ *Trump Administration Moves to Allow Intelligence Agencies Easier Access to Law Enforcement Files*, ProPublica (Feb. 25, 2026) (www.propublica.org/article/trump-cia-law-enforcement-records-privacy-intelligence-community); *How Immigration Agents are Using a Once-Obscure Law to Detain US Citizens*, CNN (Feb. 19, 2026) (www.cnn.com/2026/02/19/us/immigration-law-18-us-111?Date=20260219&Profile=CNN&utm_content=1771509646&utm_medium=social&utm_source=twitter).

successor to OCDETF, added additional agencies' data, and retained access controls, except for the HSTF NCC staff, who may access all holdings.⁶⁵

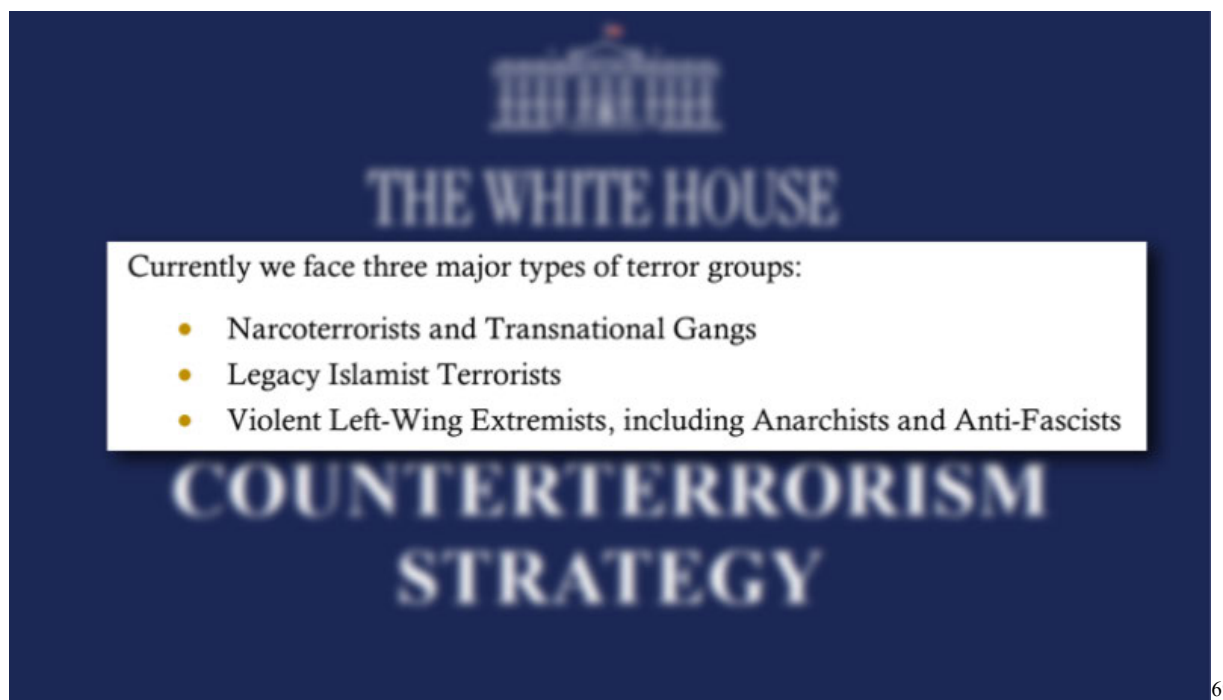
All of these concerns were heightened by the replacement of Gabbard by Acting Director William J. Pulte. Pulte failed to meet the basic statutory requirements to be DNI and President Trump made it clear that he was there to carry out the President's agenda.⁶⁶ As the head of the Federal Housing Finance Agency, Pulte used sensitive data that was available to him to target the President's opponents.⁶⁷ Pulte made it clear that he would use the same approach at ODNI – where he had access to America's most sensitive national security information and systems – and that he would also seek to undermine confidence in America's elections by continuing Gabbard's efforts to use the position to find purported evidence of wrongdoing in the 2016 and 2020 elections.⁶⁸

⁶⁵ Homeland Security Task Force, Briefing with House Committee on Homeland Security and Senate Homeland Security and Governmental Affairs Committee staff (Jul. 23, 2026).

⁶⁶ 50 U.S.C. § 3023; *Pulte to be Acting DNI for 'a Month or Two' and Can 'Declassify Almost Everything,' Trump Says*, Politico (July 1, 2026) (www.politico.com/news/2026/07/01/pulte-intelligence-declassification-00983648); *New Acting Intel Czar Bill Pulte Starts Trimming Staff as Trump Urged*, The Washington Post (June 25, 2026) (www.washingtonpost.com/national-security/2026/06/25/new-acting-intel-czar-bill-pulte-starts-trimming-staff-trump-urged/).

⁶⁷ *Government Watchdog Launches Probe Into Bill Pulte Over Mortgage-Fraud Referrals*, CNN (Dec. 4, 2025) (www.cnn.com/2025/12/04/business/government-accountability-office-investigation-bill-pulte-mortgage-referrals).

⁶⁸ *Bill Pulte Picks G.O.P. Election Operative for Spy Agency Job*, The New York Times (June 26, 2026) (www.nytimes.com/2026/06/26/us/politics/pulte-spy-agency-christina-norton.html).



A Dangerous New Counterterrorism Strategy

All of these issues were brought to the forefront in the Administration's May 2026 counterterrorism strategy. Like the Annual Threats Assessment, the new strategy focuses on cartels and gangs and "legacy Islamist terrorists," which seems to include both the Sunni and Shia groups discussed above. Moreover, the strategy articulates the third priority – "violent left-wing extremists, including anarchists and anti-Fascists."⁷⁰

While the strategy promises an apolitical counterterrorism approach based on "reality-based threat assessments," it excludes mention of any domestic terrorists who are not left-wing, although, as noted above, existing data does not bear out such analysis.⁷¹ For example, it includes no mention of nihilist violent extremists, a "form of targeted violence characterized by a deep rejection of existing social, political, and moral structures, often accompanied by a desire to accelerate their collapse."⁷² In 2025, FBI Director Patel told Congress that a "large chunk" of the FBI's open 1,700 domestic terrorism investigations were of nihilist violent extremists.⁷³ A review of plots and attacks linked to "known extremist movements, online radicalization, or

⁶⁹ The White House, *United States Counterterrorism Strategy 2026* (May 2026) (www.whitehouse.gov/wp-content/uploads/2026/05/2026-USCT-Strategy-1.pdf).

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² Polarization and Extremism Research & Innovation Lab (PERIL), *The NVE Tracker and Dashboard* (2026) (nve.perilresearch.com).

⁷³ Federal Bureau of Investigation, *Director Patel's Opening Statement to the Senate Committee on the Judiciary* (Sep. 16, 2025) (www.fbi.gov/news/speeches-and-testimony/director-patel-opening-statement-to-the-senate-committee-on-the-judiciary-091625).

grievance-based violence” in the United States in 2025 found that nihilism motivated 16 out of 74 plots and attacks, more than twice as many as militant Islamism and over five times as many as anti-government ideologies, although the largest number segment – 32 plots and attacks – had an “unknown” ideology.⁷⁴ Despite the FBI’s focus and the number of incidents linked to this form of extremism in 2025, it is not addressed in the counterterrorism strategy at all.

The new strategy also completely ignores the threat of white supremacists – despite the most-recent attack on the Islamic Center of San Diego carried out by two teenagers who were inspired by hate and referenced the shooter in the Christchurch, New Zealand, mosque attack in 2019.⁷⁵ White supremacists are a domestic and transnational threat. Several groups have been designated by the State Department as Specially Designated Global Terrorists, like the Terrorgram Collective and Russian Imperial Movement.⁷⁶ The strategy also barely discusses new threats like emerging technologies and how they are being used by terrorists.

Unlike the previous counterterrorism strategies under both Republican and Democratic Administrations, including the first Trump Administration, the strategy provides no real implementing guidance for government agencies. The first Trump Administration strategy, like those that were put out by the Obama and Biden Administrations, reflected the goals of the Administration, but also the independent input and expertise of all of the agencies and offices across the government working on counterterrorism and relevant national security issues. Those documents give strategic guidance for these agencies on Administrations’ main priorities and then break these down further into more specific goals or approaches, with specific examples for the agencies on what activities they should pursue.

The first Trump Administration’s strategy, for example, focused on “securing the borders” and then provided specific details, including: integration of “capabilities and authorities from across the United States Government” and coordination with overseas partners.⁷⁷ The strategy describes: “Our efforts will begin overseas, where we will ensure that our partners share and use information, such as watchlists, biometric information, and travel data, to prevent terrorists and fleeing foreign fighters from traveling to the United States. We will also share technology that allows partners to screen cargo and baggage for threats, including WMD materials and precursors.”⁷⁸ Whether or not the reader agrees with the strategy, its implementation steps are clear.

⁷⁴ Institute for Strategic Dialogue, *The 2025 Annual Review of Plots and Attacks Across the US* (March 2026) (www.isdglobal.org/wp-content/uploads/2026/03/The-2025-Annual-Review-of-Plots-and-Attacks-Across-the-US-2.pdf).

⁷⁵ *San Diego Mosque Shooters Left Document Revealing Racist, Neo-Nazi Beliefs*, Southern Poverty Law Center (May 26, 2026) (www.splcenter.org/resources/hatewatch/san-diego-mosque-shooters-neo-nazi-beliefs/).

⁷⁶ *A New Approach in the Fight Against Transnational Violent Extremism is Needed*, Just Security (Oct. 8, 2025) (www.justsecurity.org/121760/synchronization-sanctions-transnational-violent-extremism/).

⁷⁷ The White House, *National Strategy for Counterterrorism of the United States of America* (Oct. 2018) (trumpwhitehouse.archives.gov/wp-content/uploads/2018/10/NSCT.pdf).

⁷⁸ *Id.*

On the other hand, the latest strategy barely mentions border security, except to blame the Biden Administration for America's open borders. Guidance for agencies on hemispheric security is to continue illegal boat strikes in the Pacific and Caribbean, as well as "military and law enforcement campaigns against all the cartels and gangs designated as terrorist organizations," and disruption of their finances.⁷⁹

Unlike previous strategies, the new one also rarely mentions any efforts to address hate or radicalization. Each Administration has had a different approach to combating the growth of hate – whether through efforts by the Community Relations Service of the DOJ, supporting programs that help communities address radicalization, or calls on civil society as a whole to come together against hate. While these efforts have not been equally effective, and some have been deeply criticized by the communities they are meant to protect, previous Administrations have understood the need to address the growth of hate in our society and how it might lead to violence.

On the other hand, at a time when polarization in the United States is at historic highs, the strategy chooses to engage in further polarization by targeting only what it defines as left-wing terrorism to the exclusion of other domestic threats – mentioning the assassination of Charlie Kirk – the motivation of which is not clearly "left-wing" – but not that of the Speaker Emerita of the Minnesota House, a Democrat, for example.⁸⁰

The strategy claims that it is in reaction to a politicized and weaponized use of the counterterrorism infrastructure by the Biden Administration – part of the effort by this Administration to rewrite the history of January 6th, the largest domestic terrorism attack in our nation's history.

The Hollowing Out of America's Counterterrorism Capabilities

The second Trump Administration has taken an even more careless and dangerous approach with regards to counterterrorism than the first Trump Administration. It has been actively dismantling key elements of the government's counterterrorism infrastructure, targeting agencies, personnel, and resources that have focused on preventing another terrorist attack since September 11th.

Among the Administration's main targets have been the DOJ and the FBI. DOJ and FBI are central to the investigation and prosecution of terrorism cases. Yet both have suffered significant cuts, reorganization, and politicization under the Trump Administration. The DOJ fired, forced out, reassigned, or otherwise encouraged the separation of over 15,000 employees last year.⁸¹

⁷⁹ The White House, *United States Counterterrorism Strategy* (May 2026) (www.whitehouse.gov/wp-content/uploads/2026/05/2026-USCT-Strategy-1.pdf).

⁸⁰ *Id.*

⁸¹ *Justice Department Loses Thousands of Staff as Ex-Fox Host Pirro's Problems Mount After Sandwich Toss Setback*, The Independent (Nov. 10, 2025) (www.independent.co.uk/news/world/americas/us-politics/justice-

The Administration has targeted, in particular, over 200 DOJ prosecutors and FBI agents involved in investigations and prosecutions that it disagrees with, including those who worked on the January 6th investigation and investigations of President Trump before his reelection.⁸² These are professionals with years of expertise in investigating and prosecuting terrorism and in particular domestic terrorism.



Just days before the U.S. launched a war against Iran, FBI Director Kash Patel fired twelve agents and staffers from a counterintelligence unit focused on threats and espionage operations from the Middle East because of their previous involvement with the investigation into Donald Trump's alleged retention of classified documents.⁸⁴ The unit had previously played a key role in tracking threats to U.S. government officials after the assassination of Qassem Soleimani, then leader of the Islamic Revolutionary Guard Corps Quds Force.⁸⁵

The Administration also reorganized or reprioritized the work of key parts of these agencies. It replaced seasoned FBI executives holding decades of experience with Trump loyalists who have

department-jobs-jeanine-pirro-b2862437.html); Office of Personnel Management, OPM Workforce Data (Accessed Mar. 31, 2026) (data.opm.gov/explore-data/analytics/workforce-changes).

⁸² *Justice Department Purge Continues; Firings Include Trump Classified Document Case Investigators and Jan. 6 Prosecutors*, CBS News (Jul. 12, 2025) (www.cbsnews.com/news/justice-department-firings-include-trump-investigators-jan-6-prosecutors/); *All the Justice and FBI Employees Who Investigated Trump Have Left, Deputy Attorney General Boasts*, CNN (Mar. 26, 2026) (edition.cnn.com/2026/03/26/politics/fbi-justice-who-investigated-trump-left-doj).

⁸³ *Kash Patel Gutted FBI Counterintelligence Team Tasked with Tracking Iranian Threats Days Before US Strikes, Sources Say*, CNN, (Mar. 3, 2026) (www.cnn.com/2026/03/03/politics/patel-fbi-national-security-division-firings-iran).

⁸⁴ *Id.*

⁸⁵ *Id.*

little to no agency, let alone counterterrorism, experience.⁸⁶ In March 2025, the Administration reassigned staff from the FBI's Domestic Terrorism Operations Section (DTOS), which provided operational support to all 55 FBI field offices in investigating domestic terrorism threats.⁸⁷ DOJ's National Security Division, which includes the counterterrorism and intelligence sections, has lost nearly 38% of its personnel.⁸⁸

Former DOJ attorneys who either resigned or were fired reported that DOJ leadership directed them to abandon their work on investigations of terrorist plots, corruption, and fraud.⁸⁹ One shared that the U.S. Attorney's Office for the Eastern District of Virginia, one of the primary offices tasked with investigating and prosecuting overseas terrorist cases, went from between 12 and 14 lawyers in the national security office to four.⁹⁰ Another former attorney stated that the DOJ's Civil Rights Division, which is responsible for hate crimes investigations that can often overlap with terrorism investigations, lost an estimated 70% of its attorney workforce.⁹¹ The Civil Rights Division has since focused on hiring attorneys willing to support efforts to reshape the office, recently onboarding 100 new attorneys in early July 2026.⁹² That hiring spree received criticism from existing attorneys in the Civil Rights Division, citing their lack of substantive legal experience.⁹³

The DOJ has also significantly lowered the experience required to join the Department. Historically, positions at DOJ were extraordinarily prestigious and highly competitive. DOJ hired virtually no entry-level attorneys, and those it did hire were among the best and brightest young lawyers in the country.⁹⁴ This has changed drastically since January 2025: DOJ has removed the minimum experience requirement for new hires and has been forced to offer

⁸⁶ *Top New York City F.B.I. Agent Forced Out After Clash With Justice Dept.*, The New York Times (Mar. 3, 2026) (www.nytimes.com/2025/03/03/nyregion/nyc-fbi-agent-james-dennehy-forced-out.html).

⁸⁷ *Exclusive: FBI scales back staffing, tracking of domestic terrorism probes, sources say*, Reuters (Mar. 21, 2025) (www.reuters.com/world/us/fbi-scales-back-staffing-tracking-domestic-terrorism-probes-sources-say-2025-03-21/); Federal Bureau of Investigations & Department of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism* (May 2025) (www.govinfo.gov/content/pkg/GOVPUB-J1_14-PURL-gpo155764/pdf/GOVPUB-J1_14-PURL-gpo155764.pdf).

⁸⁸ *Exclusive: Trump's DOJ Has Cut Thousands of Law Enforcement Jobs While Vowing to Get Tough on Crime*, Reuters (Apr. 23, 2026) (www.reuters.com/world/trumps-doj-has-cut-thousands-law-enforcement-jobs-while-vowing-get-tough-crime-2026-04-23/).

⁸⁹ *The Unraveling of the Justice Department*, The New York Times (Nov. 16, 2025) (www.nytimes.com/interactive/2025/11/16/magazine/trump-justice-department-staff-attorneys.html).

⁹⁰ *Id.*

⁹¹ *70% of the DOJ's Civil Rights Division lawyers are leaving because of Trump's reshaping*, NPR (May 19, 2025) (www.npr.org/2025/05/19/g-s1-66906/trump-civil-rights-justice-exodus).

⁹² *How Trump Transformed the DOJ's Civil Rights Office*, NOTUS (Jul. 15, 2026) (www.notus.org/agencies/how-trump-transformed-the-doj-civil-rights-division); *DOJ's Civil Rights Division Hires Over 100 Mostly White Attorneys and Staff*, Emerald Pages (Jul. 10, 2026) (emeraldbook.org/news/jul-1026-4/).

⁹³ *Id.*

⁹⁴ *Trump Hiring Freeze Hits Law Students Headed to the U.S. Justice Department*, Reuters (Jan. 23, 2025) (www.reuters.com/legal/government/trump-hiring-freeze-hits-law-students-headed-us-justice-department-2025-01-23/).

\$25,000 signing bonuses because of an inability to staff DOJ offices with experienced attorneys.⁹⁵

As part of an effort to staff up after the purge of career FBI staff, the President's FY 2027 budget requests an increase of 743 personnel.⁹⁶ This request comes while Director Patel is reported to be pushing to lower the recruiting and vetting standards, including for FBI staff who apply to become agents, as well as shorten training time from 18 weeks to just eight, moves that critics say are damaging to the agency's effectiveness and reputation.⁹⁷

Since its first day in office, the Administration has cut or threatened to cut key parts of the Department that serve this mission and empower stakeholders, including the Office of Intelligence and Analysis, the Cybersecurity and Infrastructure Security Agency, the Federal Emergency Management Agency, the Countering Weapons of Mass Destruction Office, and the Center for Prevention Programs and Partnerships.

The Trump Administration has also targeted components within DHS, which, in its central role to counter terrorism, also serves as the information exchange conduit between the federal government and SLTT and private sector partners. Since its first day in office, the Administration has cut or threatened to cut key parts of the Department that serve this mission and empower stakeholders, including I&A, the Cybersecurity and Infrastructure Security Agency (CISA), the Federal Emergency Management Agency (FEMA), the Countering Weapons of Mass Destruction Office (CWMD), and the Center for Prevention Programs and Partnerships (CP3).

⁹⁵ *DOJ Suspends Minimum Work Experience Requirements for Hiring Attorneys After Staff Purges*, The Independent (Mar. 17, 2026) (www.independent.co.uk/news/world/americas/us-politics/departments-of-justice-attorneys-hiring-b2940171.html); *DOJ Offers Lawyers \$25,000 Signing Bonuses as Hiring Lags*, Bloomberg Law (May 5, 2026) (news.bloomberglaw.com/us-law-week/doj-offers-lawyers-25-000-signing-bonuses-as-recruitment-lags).

⁹⁶ Federal Bureau of Investigation, *The Fiscal Year 2027 FBI Budget Request to Congress* (March 2026).

⁹⁷ *Exclusive: FBI Plans to Reduce Vetting of Some Applying to Be Agents, Sources Say*, Reuters, (Feb. 19, 2026) (www.reuters.com/world/fbi-plans-reduce-vetting-some-applying-be-agents-sources-say-2026-02-19/).

As DHS's intelligence community component, I&A is uniquely positioned as the link between the intelligence community, other DHS component's intelligence offices, and external DHS partners. It helps pass information from the intelligence community to SLTT law enforcement to ensure that they have the most up-to-date information about threats, while also working within intelligence community standards to integrate information from DHS and external partners into our nation's intelligence.⁹⁸ While the I&A budget is classified, unclassified staffing levels provided by I&A has shown that they lost 300 staff due to DHS's workforce transition program, voluntary separations, and other reasons - a major cut that has clearly led to a significant loss of expertise.⁹⁹

Moreover, the Administration proposes eliminating I&A's independence by making it an office subordinate to the Secretary, instead of a separate DHS component in the FY 2027 budget submission.¹⁰⁰ Given I&A's role as part of the intelligence community, making it subordinate to the Secretary threatens to politicize its intelligence. In addition, the Undersecretary of I&A is supposed to oversee the training and tradecraft of DHS components' intelligence offices. This kind of oversight will be much harder if the Undersecretary is no longer a peer to component heads. The new budget proposal underscores the Administration's efforts to neutralize this independent office and minimize its role. Further, although I&A leadership previously claimed that they would be rebuilding to the personnel numbers requested in the president's FY 2026 budget, the FY 2027 budget suggests the opposite. The new budget request appears to cut the number of positions in I&A significantly.¹⁰¹

The Administration has also gutted CISA, the agency with primary responsibility to physically and digitally protect our homeland by working with stakeholders to understand, manage, and reduce risk to the cyber and physical infrastructure that Americans depend on every day. CISA runs cyber hygiene vulnerability scans and penetration testing for utilities, hospitals, and election systems, identifying exploitable weaknesses before American adversaries, including terrorists, can exploit them. In 2016, a Kosovo man was convicted in the U.S. for hacking an American company's servers and sharing the extracted data containing personally identifiable information of U.S. military and government personnel with ISIS – representing the first U.S. prosecution combining terrorism and cybercrime charges under federal law.¹⁰² In another example, the members of the American group “UGNAZI” were convicted or associated with multiple instances of cyberstalking, hoax bomb threats, swatting, and credit card theft before being

⁹⁸ Department of Homeland Security, Intelligence and Analysis – Fusion Centers (www.dhs.gov/fusion-centers) (accessed Dec. 3, 2025).

⁹⁹ Department of Homeland Security Office of Intelligence and Analysis, Briefing with Senate Homeland Security Committee Staff (May 29, 2026).

¹⁰⁰ *Id.*

¹⁰¹ Department of Homeland Security, *Analysis and Operations Budget Overview Fiscal Year 2027 Congressional Justification* (Apr. 24, 2025).

¹⁰² U.S. Department of Justice, Office of Public Affairs, *ISIL-Linked Kosovo Hacker Sentenced to 20 Years in Prison* (Sept. 23, 2016) (www.justice.gov/opa/pr/isil-linked-kosovo-hacker-sentenced-20-years-prison).

arrested on murder charges in the Philippines.¹⁰³ UGNAZI may have also been involved in the hacking and defacing of the Malaysian Airlines website along with the Cyber Caliphate, the ISIS supporting hacking group.¹⁰⁴

In addition to its cyber mission, CISA also sends protective security advisors to critical infrastructure facilities, including nonprofit organizations like houses of worship, to look for and proactively fix potential physical security weak points that could be exploited by terrorists.¹⁰⁵ In 2024 alone, CISA completed over 9,400 assessments, trainings, and information sharing engagements.

Since January 2025, however, over one-third of CISA's personnel have departed or been reassigned – including individuals from offices directly related to CISA's national coordinator mission that fosters collaboration between communities and the private sector.¹⁰⁶ In October of 2025, 95 employees within the Stakeholder Engagement Division – which leads CISA's national and international voluntary partnerships and engagements – were terminated under the Administration's targeted reduction in force (RIF).¹⁰⁷

The FY 2027 President's budget proposal threatens to further gut the critical security advisor role, eliminating 200 advisor positions.¹⁰⁸ Such cuts weaken the government's ability to interact with the private sector – including the nonprofit community – on vital cybersecurity and infrastructure threats. Additionally, the budget proposes fully eliminating CISA's Election Security Program, removing all 14 Election Security Advisors (ESAs) in each of the ten CISA Regions who act as liaisons between CISA even though the bipartisan FY 2026 Department of Homeland Security Appropriations Act reinstated these positions.¹⁰⁹ These advisors play a fundamental role in advising state and local election officials on how to prepare for all threats to elections – including physical threats of violence, bomb threats, and swatting and doxing of officials. CISA now claims it is prioritizing hiring for these ESA positions, but they will not be in place until after the 2026 midterm election.¹¹⁰

¹⁰³ *Serial Swatter and Stalker Mir Islam Arrested for Allegedly Dumping Body in River*, Krebs on Security (Dec. 23, 2018) (krebsonsecurity.com/2018/12/serial-swatter-and-stalker-mir-islam-arrested-for-allegedly-dumping-body-in-river).

¹⁰⁴ *Malaysia Airlines Website Hacked by 'Lizard Squad'*, The Guardian (Jan. 26, 2015) (www.theguardian.com/world/2015/jan/26/malaysia-airlines-website-hacked-by-lizard-squad).

¹⁰⁵ Cybersecurity and Infrastructure Security Agency, *Protective Security Advisor Program*, (www.cisa.gov/sites/default/files/publications/CISA%2520Fact%2520Sheet%2520-%2520PSA%2520Program%2520-%2520508c_IAA%2520Final.19MAR2020.pdf).

¹⁰⁶ *Layoffs, reassignments further deplete CISA*, Cybersecurity Dive (Oct. 14, 2025) (www.cybersecuritydive.com/news/cisa-layoffs-reassignments-dhs-white-house-government-shutdown/802723/).

¹⁰⁷ *CISA's international, industry and academic partnerships slashed*, Cyber Security Dive (Oct. 22, 2025) (www.cybersecuritydive.com/news/cisa-stakeholder-engagement-division-layoffs-critical-infrastructure-international/803433/).

¹⁰⁸ Department of Homeland Security, *Cybersecurity and Infrastructure Security Agency Budget Overview Fiscal Year 2027 Congressional Justification* (Apr. 24, 2026).

¹⁰⁹ *Homeland Security and Further Additional Continuing Appropriations Act of 2026*, Pub. L. 119-86.

¹¹⁰ Cybersecurity and Infrastructure Security Agency, Briefing with Senate committee staff (July 22, 2026).

FEMA, among its many responsibilities, is the central grants management component for DHS, handling all the agency's grants including those intended to prevent, prepare for, and respond to a terrorist attack. There is currently debate about the future of FEMA. In May, the President's FEMA Review Council released recommendations to make changes to the agency, but these recommendations were mainly focused on disaster response and recovery and would require Congressional action.¹¹¹ It is unclear what these changes would mean for FEMA's preparedness grants and communities that rely on these grants for terrorism preparedness at the state and local level.

Although the counterterrorism strategy specifically highlights the threat of terrorists gaining weapons of mass destruction (WMD), the Administration dissolved the DHS CWMD Office, the sole federal government entity dedicated to working with SLTT partners to counter threats of terrorists developing or deploying WMD, to include chemical, biological, radiological, or nuclear (CBRN) agents, in the United States.¹¹² Prior to dissolving the Office, the Administration appointed its Assistant Secretary to also serve as the acting FEMA Administrator, a move that was widely criticized by former CWMD and FEMA leaders as diverting attention away from WMD terrorism threats.¹¹³

In addition to dismantling the DHS CWMD Office, news reporting indicates the Administration has dissolved the FBI's Weapons of Mass Destruction Directorate (WMDD) and folded it into its Counterterrorism Division.¹¹⁴ The FBI's latest organization chart, current as of April 13, 2026, no longer shows the WMDD as a standalone entity supports this reporting. As a result, the federal government no longer has a dedicated office or directorate focused specifically on CBRN threats to the homeland.¹¹⁵

DHS has mostly eliminated CP3, which is responsible for terrorism and targeted violence prevention programming.¹¹⁶ After DHS initially put a 22-year-old with no national security experience in charge of CP3, HSGAC minority staff have been told that there are only five employees associated with CP3 and that the Targeted Violence and Terrorism Prevention (TVTP) grant program was moved in full to FEMA.¹¹⁷ It has been reported that this individual is

¹¹¹ *Trump-Appointed FEMA Review Council Proposes Major Redesign of Federal Disaster Response Role*, CBS News (May 7, 2026) (www.cbsnews.com/news/fema-review-council-federal-disaster-support-redesign/).

¹¹² *DHS FY 2026 Budget Dissolves CWMD Office Amid Structural Overhaul*, Global Biodefense (June 16, 2025) (globalbiodefense.com/2025/06/16/dhs-fy-2026-budget-dissolves-cwmd-office-amid-structural-overhaul/).

¹¹³ *FEMA Chief has 2 jobs, raising concern in heart of hurricane season*, E&E News (August 1, 2025) (www.eenews.net/articles/fema-chief-has-2-jobs-raising-concern-in-heart-of-hurricane-season/).

¹¹⁴ *Circle of Life?*, CBRNe World (Apr. 23, 2026) (cbrneworld.com/news/circle-of-life).

¹¹⁵ Federal Bureau of Investigation, Organization Chart (Signed April 13, 2026) (www.justice.gov/media/1437121/dl?inline).

¹¹⁶ *How the United States Is Undoing the Post-9/11 Security Architecture That Has Kept It Safe*, Just Security (Sept. 11, 2025) (www.justsecurity.org/120328/undoing-post-911-security-architecture/).

¹¹⁷ *"The Intern in Charge": Meet the 22-Year-Old Trump's Team Picked to Lead Terrorism Prevention*, ProPublica (June 4, 2025) (www.propublica.org/article/trump-dhs-thomas-fugate-cp3-terrorism-prevention); Email from Andrew Ott, Acting Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security to Senate Homeland Security and Governmental Affairs Committee Minority staff (Mar. 24, 2026).

no longer in this position, but DHS has failed to confirm. Five states – Colorado, Hawaii, Maryland, Michigan, Minnesota, and Rhode Island – have filed a lawsuit against DHS and FEMA for the wrongful termination of FY 2022-2024 TVTP grant awards mid-funding stream, amounting to a breach of the grant agreements.¹¹⁸ The FY 2027 President’s budget calls for zeroing out the TVTP grants entirely.¹¹⁹

Finally, the government-wide hiring freeze also had a degrading effect on DHS’s Office of Homeland Security Situational Awareness (OSA), which provides “strategic situational awareness, a common operating picture, and decision support – to DHS leadership, all levels of government, and other partners involved in homeland security.”¹²⁰ OSA runs the National Operations Center (NOC), which tracks and provides information about immediate threats, incidents, and hazards to senior DHS leadership.¹²¹

Diminishing Local Counterterrorism Capacity Through Funding Cuts

Since January 20, 2025, a wide array of grant programs that support law enforcement and help protect our communities have been paused, placed under evaluation, or cut entirely. Programs that supported SLTT partners, in particular law enforcement, have historically helped federal agencies carry out not just counterterrorism missions but other public safety activities.

The DOJ Office of Justice Programs (OJP) serves as DOJ’s largest research and grant-making component. It provides local and state law enforcement agencies with information, training, coordination, and innovative strategies for dealing with the most pressing law enforcement issues. An estimated 365 discretionary OJP grant awards across 34 states and two territories, including the State and Local Anti-Terrorism Training Program (SLATT), were terminated midway through the 2025 fiscal year because they no longer “effectuate[d] the Department’s priorities.”¹²² Although former Attorney General Bondi publicly claimed that she would be willing to reconsider the status of any particular grant, as of now, the Administration has not provided confirmation to Congress regarding how many of these grants have been reinstated, how many that were cancelled did not have outstanding reimbursement requests addressed, and how many appeals remain unaddressed. The FY 2027 President’s Budget requests \$1.7 billion in cuts to state and local grant programs that it deems duplicative or misaligned with

¹¹⁸ Plaintiff’s Complaint for Monetary Relief (Feb. 25, 2026), *Colorado v. United States*, U.S. Ct. Fed. Cl. (No. 1:26-cv-00315); Attorney General of Maryland: *Attorney General Brown Sues DHS, FEMA to Recover Grants to Combat Terrorism* (Feb. 25, 2026).

¹¹⁹ The White House, *Budget of the United States Government Fiscal Year 2027* (Apr. 2026).

¹²⁰ Department of Homeland Security, The Office of Homeland Security Situational Awareness, (www.dhs.gov/office-homeland-security-situational-awareness) (accessed Apr. 4, 2026).

¹²¹ Department of Homeland Security Office of Situational Awareness, Briefing with Senate Homeland Security and Governmental Affairs Committee staff (December 17, 2025).

¹²² *U.S. Department of Justice Grants Targeted for Termination*, Reuters (Apr. 24, 2025) (www.reuters.com/data/us-department-justice-grants-targeted-termination-2025-04-24/).

Administration priorities, along with \$20 million in eliminations of certain DOJ offices and programs.¹²³ Of the proposed \$1.7 billion cuts, \$650.2 million is for OJP, which would result in a 22.7% decrease in overall OJP funding.¹²⁴

DHS also held up previously awarded funds and grants set to be administered by FEMA and created a series of obstacles and restrictions unrelated to the purposes of the grants that have made it hard for states and communities to apply for FY 2026 funding. The clearest examples are the Nonprofit Security Grant Program (NSGP), which helps nonprofits, including houses of worship and faith-based organizations, to bolster their physical security, and the State Homeland Security Grant Program (SHSGP), which helps SLTT partners prepare for, prevent, mitigate, and respond to threats including terrorism.¹²⁵ After an almost year-long delay, FEMA finally awarded the FY 2025 NSGP grants to subrecipients. These awards were announced after FEMA published the FY 2026 Notice of Funding Opportunity and close to the application window closing, which created confusion in the process for applicants and potential applicants who did not know if they had been awarded an FY 2025 award and were deciding whether or not to apply for FY 2026.¹²⁶

DHS has also unnecessarily delayed the disbursement of SHSGP and the Urban Area Security Initiative (UASI) funding to recipients, leaving communities at high risk of terrorist attacks and other threats without this critical federal support. FEMA attempted to tie SHSGP and UASI funding to recipient compliance with federal immigration functions and also attempted to reallocate funding away from Democratic states and jurisdictions based on political differences, before courts intervened and ordered FEMA to change course.¹²⁷ In addition, FEMA attempted to abruptly change the period of performance for these programs from three years to one year, significantly impacting how recipients, who are used to having three years to spend money, plan their budgets, but was stopped in the courts.¹²⁸ Now, FEMA is trying to impose additional retroactive election security requirements on these FY 2025 grants and new requirements for FY 2026 that could cost states as much as 20% of their Homeland Security Grant Program funding.¹²⁹

¹²³ The White House, *Budget of the United States Government Fiscal Year 2027* (Apr. 2026).

¹²⁴ Department of Justice, *Bureau of Justice Grants (BJG) FY 2027 Budget Request at a Glance*, (www.justice.gov/jmd/media/1434566/dl?inline) (accessed Apr. 13, 2026).

¹²⁵ Federal Emergency Management Agency, Nonprofit Security Grant Program (www.fema.gov/grants/preparedness/nonprofit-security).

¹²⁶ Federal Emergency Management Agency, *FEMA Advisory: FEMA Continues to Process Fiscal Year 2025 Nonprofit Security Grant Program Subawards* (June 2026).

¹²⁷ *Trump Administration Flouted Court Order on FEMA Grant Funding, US Judge Rules*, Reuters (Oct. 14, 2025) (www.reuters.com/legal/government/trump-administration-flouted-court-order-fema-grant-funding-us-judge-rules-2025-10-14/).

¹²⁸ *States File Lawsuit Challenging FEMA's New Rules on Emergency Management Grants*, National Association of Counties (Dec. 22, 2025) (www.naco.org/news/states-file-lawsuit-challenging-femas-new-rules-emergency-management-grants).

¹²⁹ Memorandum from David Gudinas to All State Administrative Agency Heads, Tribal Homeland Security Grant Program Recipients, State Administrative Agency Points of Contact, Urban Area Security Initiative

The Administration is also requesting less money for some of these critical grants, including UASI and SHSGP. FEMA is requesting 25% less for each than was enacted in FY 2025. And for the NSGP grants, FEMA is requesting no increase despite the heightened threat environment and the supplemental appropriations in FY 2024.¹³⁰

In October 2025, CISA formally ended federal funding for the Multi-State Information Sharing and Analysis Center (MS-ISAC), threatening the continuity of its 17,000 member-strong coalition of SLTT government officials.¹³¹ The MS-ISAC provides threat information, education, training, and technical services like endpoint detection and response, and a 24/7 security operations center to counter cyber, physical, and foreign malign information threats.¹³² When asked, CISA acknowledged that it had not done a gap analysis to understand who might lose support when it transitioned to working directly with stakeholders in place of the Elections Infrastructure-ISAC, a subset of the MS-ISAC.¹³³

These grant programs are intended to help SLTT partners – both law enforcement and governments – as well as nonprofits to prevent, mitigate, and respond to terrorism. Yet this Administration has chosen to play political games that led to delays of hundreds of millions of dollars of funding that these partners rely on to protect our communities.

Points of Contact, and State Homeland Security Directors, Grant Programs Directorate Information Bulletin No. 569 (June 8, 2026); Department of Homeland Security, *Fiscal Year 2026 Homeland Security Grant Program: Notice of Funding Opportunity* (DHS-26-GPD-067-00-98) (June 24, 2026).

¹³⁰ U.S. Department of Homeland Security, Federal Emergency Management Agency, *Congressional Justification (Fiscal Year 2027) – Federal Assistance* (2026) (www.dhs.gov/sites/default/files/2026-04/26_0403_ocfo_fy27-budget-federal-emergency-management-agency.pdf).

¹³¹ *CISA says it will fill the gap as federal funding for MS-ISAC dries up*, Help Net Security (Sept. 30, 2025) (www.helpnetsecurity.com/2025/09/30/cisa-ms-isac-funding/).

¹³² Center for Internet Security, MS-ISAC Membership FAQ (www.cisecurity.org/ms-isac/ms-isac-membership-faq).

¹³³ Cybersecurity and Infrastructure Security Agency, Briefing with Senate committee staff (Jul. 22, 2026).

The National Security Costs of Indiscriminate Immigration Enforcement

In addition to all of these other decisions, the Trump Administration has prioritized DHS's border security and immigration mission at the expense of other critical missions, including counterterrorism, across not just DHS but all federal law enforcement agencies. Starting on January 20, 2025, the Administration prioritized mass indiscriminate immigration enforcement and redirected a significant portion of federal law enforcement from their separate missions to immigration enforcement. This includes officers and agents from the FBI, U.S. Marshals Service, Bureau of Prisons, Drug Enforcement Agency (DEA), Internal Revenue Service (IRS), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and the Department of Defense (DoD).¹³⁴

While immigration enforcement is a key element in keeping our nation safe, as federal law enforcement officers continue to be pulled from their regular duties, investigations into counterterrorism, cybercrimes, money laundering, and other crimes that have a nexus to terrorism are experiencing delays or being put on hold completely.¹³⁵

In May 2025, the FBI ordered agents to prioritize immigration enforcement and deprioritize other types of cases, impacting 45% of all agents in the 25 largest FBI field offices and drawing them away from longstanding FBI priorities like counterterrorism, counterespionage, fraud, and violent crime.¹³⁶ After the June 2025 U.S. airstrikes in Iran, the FBI, realizing that it had undercut its ability to respond to terrorism, shifted some agents back to their counterterrorism responsibilities out of concerns for potential Iranian-influenced attacks in the U.S.¹³⁷

Around the same time, the ATF experienced a 14% decline of federal prosecutions – a drop higher than the DEA and U.S. Marshal Service – due to reassignments to immigration enforcement.¹³⁸ The Administration has also shown a continued interest in cutting funding to ATF, despite an existing shortage of special agents, and at one point floated combining it with DEA before abandoning that plan after receiving pushback from gun rights and gun control

¹³⁴ *Feds from IRS Agents to Refugee Officers are Deploying to Assist ICE Conduct Raids*, Government Executive (Jun. 13, 2025) (www.govexec.com/management/2025/06/feds-irs-agents-refugee-officers-are-deploying-assist-ice-conduct-raids/406078/).

¹³⁵ David J. Bier, *ICE Has Diverted Over 25,000 Officers from Their Jobs*, Cato at Liberty (blog) (www.cato.org/blog/ice-has-diverted-over-25000-officers-their-jobs).

¹³⁶ *FBI Field Offices Ordered to Shift Agents to Immigration Crackdown*, NBC News (May 14, 2025) (www.nbcnews.com/politics/justice-department/fbi-field-offices-ordered-shift-agents-immigration-crackdown-rca206859).

¹³⁷ *FBI Shifts Some Agents Back to Counter-Terrorism Following Iran Strike, People Familiar Say*, Reuters (Jun. 24, 2025) (www.reuters.com/legal/government/fbi-shifts-some-agents-back-counter-terrorism-following-iran-strike-people-2025-06-24/).

¹³⁸ *Trump's Immigration Push Diverts U.S. Agents From Drug, Money and Sex-Crime Cases*, The Wall Street Journal (Oct. 6, 2025) (www.wsj.com/politics/policy/trumps-immigration-push-diverts-u-s-agents-from-drug-money-and-sex-crime-cases-90b37cc9?msockid=1b26f352d2176b9c3375e6b1d3056a61).

groups.¹³⁹ Nevertheless, ATF lost 14% of its workforce in the past year.¹⁴⁰ As the primary agency tasked with controlling and regulating the use of firearms and explosives – the two most prevalent instruments used in terrorism and targeted violence – these actions by the Administration severely undermine the ATF’s operational capability.¹⁴¹

Given reports of the diversion of high numbers of law enforcement personnel in support of ICE immigration enforcement operations, HSGAC staff requested information about this support from ICE. In September 2025, HSGAC received data from ICE that showed that on average over a 26-day period in August 2025, 1,294 external law enforcement personnel were supporting ICE Enforcement and Removal Operations (ERO).¹⁴² The data, as provided by ICE, did not track individual law enforcement personnel, rather ICE noted “whether the support is 10 minutes or 10 hours in a day, it is defined as one person for one day.” HSGAC staff have repeatedly requested updates to this data to understand the support ERO has received over time, as well as to clarify the unique number of law enforcement personnel supporting ERO, but ICE has not provided subsequent data since the initial data provided in September.¹⁴³

As federal law enforcement agencies experience a loss in productivity due to strains in personnel, DHS’s surge in demand for training to deploy an additional 10,000 ICE agents by the end of 2025 stretched the capacity of DHS’s Federal Law Enforcement Training Centers (FLETC), which serves as the nation’s largest provider of federal law enforcement training, serving more than 75 federal law enforcement agencies.¹⁴⁴ As a result, FLETC had to temporarily deprioritize or reschedule comprehensive trainings for other agencies not involved in immigration enforcement, putting off critical trainings and certifications for law enforcement personnel from agencies, including the Secret Service, the Army Criminal Investigative Division, the Air Force Office of Special Investigations and the Energy Department’s Office of Secure Transportation.¹⁴⁵

¹³⁹ *ATF Asks for Larger Budget from the Trump Administration*, MuckRock (Apr. 30, 2025) (www.muckrock.com/news/archives/2025/apr/30/atf-asks-for-larger-budget-from-the-trump-administration/); Bureau of Alcohol, Tobacco, Firearms and Explosives, *Transition Materials 2024* (Nov. 2024); *The Trump Admin Tried to Merge DEA and ATF*, CNN (Jan. 17, 2026) (www.cnn.com/2026/01/17/politics/trump-plan-merge-atf-dea-quietly-abandoned).

¹⁴⁰ *Exclusive: Trump’s DOJ Has Cut Thousands of Law Enforcement Jobs While Vowing to Get Tough on Crime*, Reuters (Apr. 23, 2026) (www.reuters.com/world/trumps-doj-has-cut-thousands-law-enforcement-jobs-while-vowing-get-tough-crime-2026-04-23/).

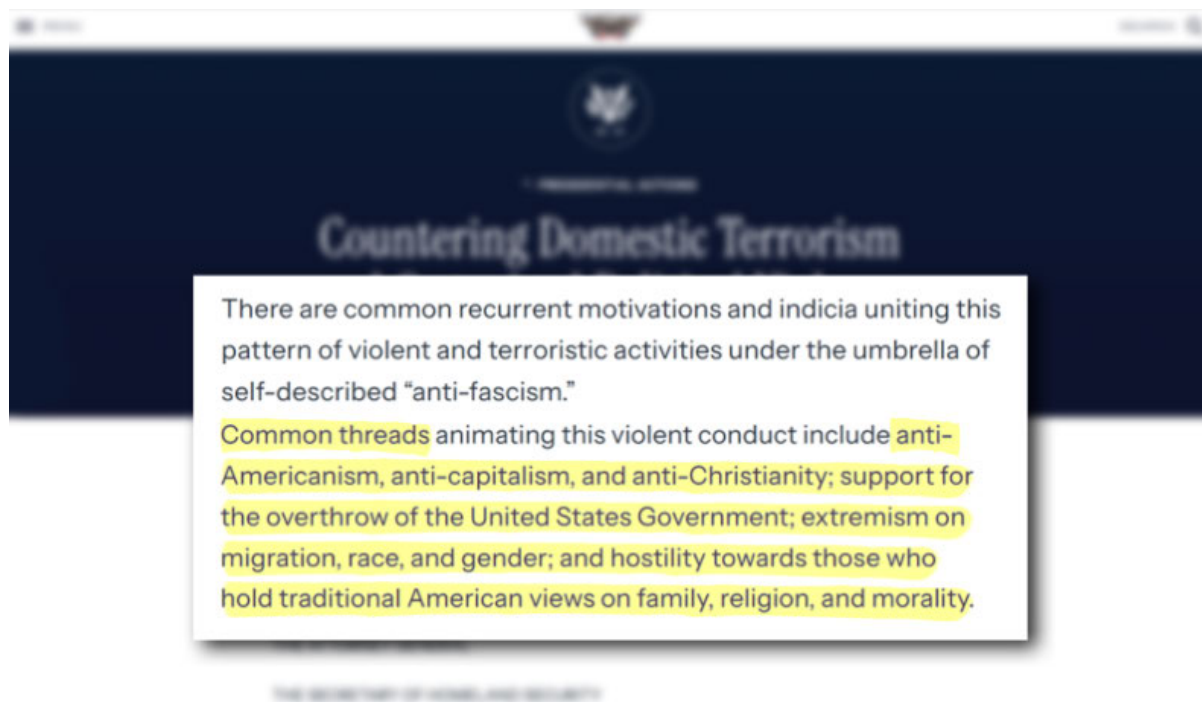
¹⁴¹ *Id.*

¹⁴² Email from Michele Rivard, Strategic Initiatives, Office of Congressional Relations, U.S. Immigration and Customs Enforcement, to Senate Homeland Security and Governmental Affairs Committee staff (Sep. 3, 2025).

¹⁴³ Email Correspondence Between Office of Congressional Relations, U.S. Immigration and Customs Enforcement, and HSGAC Minority Staff (Sep. 3, 2025-Jun. 18, 2026).

¹⁴⁴ *Homeland Security Missions Falter Amid Focus on Deportations*, The New York Times, (Nov. 16, 2025) (www.nytimes.com/2025/11/16/us/politics/dhs-agents-reassigned.html).

¹⁴⁵ *Id.*



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Abusing the Counterterrorism Infrastructure to Target Political Opponents

In addition to these cuts and reallocations, the Administration has focused the remainder of the counterterrorism infrastructure domestically on Antifa and the Administration’s political opponents. Counterterrorism experts believe Antifa is not a cohesive entity, but a fractured, anti-fascist, anti-white supremacy ideology.¹⁴⁷ Nevertheless, without producing any intelligence to suggest that Antifa is the greatest terrorism threat to Americans, the President “designated” Antifa as a domestic terrorist organization, as he hoped to do in his first term.¹⁴⁸ Congress has never authorized the designation of domestic terrorist organizations, meaning that such an action – the first ever – has no basis in law.¹⁴⁹

President Trump then put out National Security Presidential Memorandum 7 (NSPM-7), tasking government agencies with developing a strategy to combat Antifa, which it treats as a well-organized movement with a clear and consistent ideology that includes the “common threads” of “anti-Americanism, anti-capitalism, and anti-Christianity; support for the overthrow of the United States Government; extremism on migration, race, and gender; and hostility towards

¹⁴⁶ *Countering Domestic Terrorism and Organized Violence*, The White House (Sep. 25, 2025) (www.whitehouse.gov/presidential-actions/2025/09/countering-domestic-terrorism-and-organized-political-violence/).

¹⁴⁷ *As Trump talks of designating antifa a foreign terrorist group, experts see danger*, NPR (Oct. 28, 2025) (www.npr.org/2025/10/28/nx-s1-5587726/trump-antifa-terrorist-group).

¹⁴⁸ Exec. Order, 90 Fed. Reg. 46317 (Sep. 22, 2025).

¹⁴⁹ *Can Trump Actually Designate Antifa a Terrorist Group? Here Are the Facts*, The New York Times (Sep. 18, 2026) (www.nytimes.com/2025/09/18/us/politics/trump-antifa-terrorist-group.html).

those who hold traditional American views on family, religion, and morality.”¹⁵⁰ NSPM-7 directs federal government agencies to focus on “criminal and terroristic conspiracies – including the organized structures, networks, entities, organizations, funding sources, and predicate actions behind them and infrastructure that can be targeted for material support investigations and prosecutions.”¹⁵¹

While the President’s memo cannot confer new statutory authorities, it does open the door to a wholesale targeting of civil society organizations that the Administration decides are connected to the “common threads” listed in NSPM-7. These new designations allow for a wide range of tools to surveil, investigate, and prosecute individuals suspected of terrorism. And NSPM-7 turns the counterterrorism infrastructure, including the agencies, grants, and tools already overwhelmed by the changes discussed in this report – on Americans, potentially based solely on their First Amendment protected speech and association.

When signing NSPM-7, the President speculated to the press that investigations under the new memo might lead to prosecutions of George Soros and Reid Hoffman, two major Democratic donors.¹⁵² The White House also provided Reuters with a list of organizations it claimed, without evidence, helped finance or plan protests between 2023 and 2025 “that included acts of violence directed against law enforcement officials, and two incidents of vandalism at Tesla dealerships” in addition to social media posts “celebrating the damage.”¹⁵³ The list included Soros’ Open Societies Foundation and Indivisible, among others. The President has also repeatedly called Democrats, or the left, the greatest threat to America.¹⁵⁴ With the Administration openly connecting its efforts to philanthropies like Open Societies Foundation and advocacy organizations like Indivisible, a group of more than 3,000 nonprofit organizations released a letter in opposition to NSPM-7 and this attack on organizations that serve communities across America.¹⁵⁵

To fulfill requirements under NSPM-7, former Attorney General Bondi disseminated an implementation memo to all federal prosecutors, law enforcement agencies, and Department of

¹⁵⁰ The White House, Countering Domestic Terrorism and Organized Violence, (Sep. 25, 2025) (www.whitehouse.gov/presidential-actions/2025/09/countering-domestic-terrorism-and-organized-political-violence/).

¹⁵¹ *Id.*

¹⁵² President Donald J. Trump, President Trump Signs Executive Orders (Sept. 25, 2025) (www.youtube.com/watch?v=D3urjiwp_wQ).

¹⁵³ *Trump’s war on the left: Inside the plan to investigate liberal groups*, Reuters (Oct. 9, 2025) (www.reuters.com/legal/government/trumps-war-left-inside-plan-investigate-liberal-groups-2025-10-09/).

¹⁵⁴ President Donald Trump, Truth Social Post (March 22, 2026, 8:24 a.m.) (truthsocial.com/@realDonaldTrump/posts/116272810363139207); *Trump ramps up attacks on Democrats as ‘godless Communists’ ahead of November’s midterms*, CNN (Jun. 26, 2026) (www.cnn.com/2026/06/26/politics/trump-communists-democrats-attack).

¹⁵⁵ Democracy Defenders Fund, *An Open Letter Rejecting Presidential Attacks on Nonprofit Organizations* (Sept. 2025) (fb1cd5ab-5a51-475c-87d1-10904a61146d.usrfiles.com/ugd/fb1cd5_408d23ef7c0b4243b9cdd3e9cf926b6a.pdf).

Justice grant-making components.¹⁵⁶ The memo required the FBI to publish an intelligence bulletin on Antifa – prioritizing scarce FBI counterterrorism resources to find evidence of a threat the President has decided to focus on rather than prioritizing resources based on un-politicized data. The FBI is also tasked with reassessing matters related to “the surge of attacks on non-profit organizations and facilities, doxing of law enforcement, coordinated interference with federal employees in agencies such as DOJ and the Department of Homeland Security, and potential unlawful targeting of Supreme Court justices at their homes” in the last five years to look for potential acts of terrorism – essentially having them go back through all the intelligence they collected and investigations they conducted under the Biden Administration to look for this phantom threat. By December 18, 2025, all federal law enforcement agencies were to review and transfer to the FBI all files and holdings related to Antifa.

Following memo guidance, the FBI and the IRS have also begun forming a mission control center based inside the FBI to investigate nonprofit organizations that they claim may have ties to domestic terrorism and the DOJ FY 2027 budget request explicitly mentions the establishment of an NSPM-7 Joint Mission Center at the FBI.¹⁵⁷ The Center, with personnel from 10 agencies, is working to “counter [domestic terrorist] and organized political violence by integrating intelligence, operational support, and financial analysis to proactively identify networks and prosecute domestic terrorist and related criminal actors.”¹⁵⁸ Leaked emails suggest that the FBI has briefed the national network of fusion centers on NSPM-7 and how they can use their resources to support these efforts - encouraging state and local law enforcement to also prioritize limited resources to go after the President’s political opponents.¹⁵⁹

The Administration has also set up an organization called Joint Task Force Vanguard, which according to DOJ’s public materials is “a collaborative, whole of government effort to counter groups that use violence and the threat of violence to achieve political ends” and specifically to implement NSPM-7.¹⁶⁰ DOJ has confirmed that one of the co-directors of the Joint Task Force

¹⁵⁶ Memorandum For All Federal Prosecutors Law Enforcement Agencies Department Of Justice Grant-Making Components, Implementing National Security Presidential Memorandum-7: Countering Domestic Terrorism and Organized Political Violence; Office of the Attorney General (December 4, 2025).

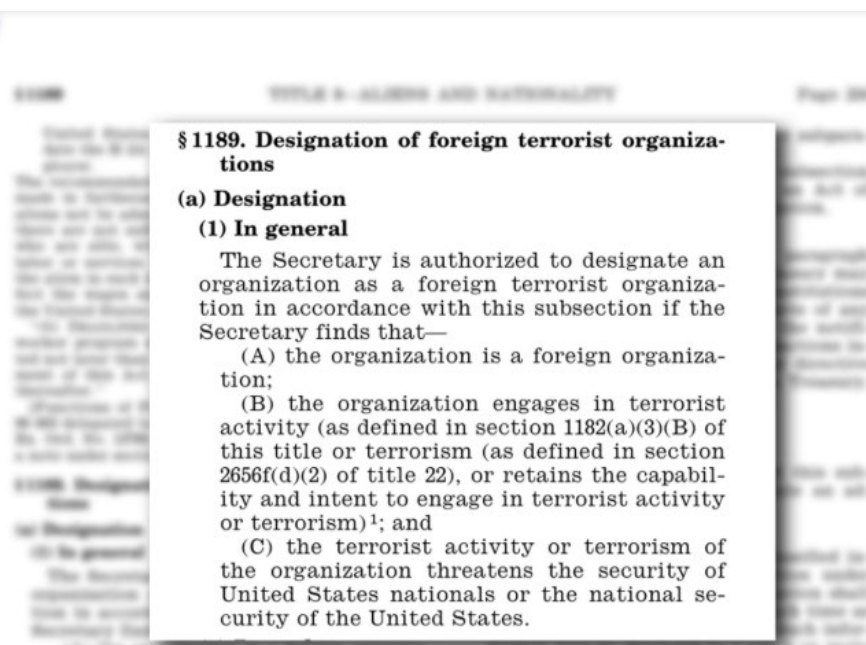
¹⁵⁷ *FBI and IRS to Investigate Nonprofit Groups for Domestic Terrorism Links, Sources Say*, CBS News (Mar. 18, 2026) (www.cbsnews.com/news/fbi-irs-investigate-nonprofits-domestic-terrorism-links/); *Fiscal Year 2027 FBI Budget Request to Congress*, U.S. Department of Justice Federal Bureau of Investigation (March 2026) (pp 13).

¹⁵⁸ *Fiscal Year 2027 FBI Budget Request to Congress*, U.S. Department of Justice Federal Bureau of Investigation (March 2026) (pp 13).

¹⁵⁹ *Trump’s New Red Scare Is Coming to State and Local Police Near You*, Zeteo (Apr. 7, 2026) (zeteo.com/p/trump-fbi-police-nspm-7-training).

¹⁶⁰ U.S. Department of Justice Office of Public Affairs: *15 Members of Direct Action Minnesota, a Minneapolis-Based Direct Action Group with Antifa Ties, Indicted* (Jun. 16, 2026) (www.justice.gov/opa/pr/15-members-direct-action-minnesota-minneapolis-based-direct-action-group-antifa-ties).

participated in the march to the Capitol on January 6th, though he did not enter the Capitol and was never accused of any violation of the law.¹⁶¹



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Additionally, the Administration designated four foreign left-wing organizations as foreign terrorist organizations, despite no evidence that they pose a threat to Americans or American interests or that they have committed deadly acts of terror, the standard metrics for such designations.¹⁶³ Despite skepticism from allied countries about the threat, the Administration hosted an international meeting to rally opposition to left-wing terrorism that was attended by 67 countries.¹⁶⁴ The State Department then announced visa restrictions that it claims would block the “entry of foreign nationals who finance, recruit, incite, or otherwise enable terrorist, violent, and criminal Far-Left Terrorist networks.”¹⁶⁵ The current designations and this global agenda make it possible for the Administration to claim that the people they target as part of Antifa may

¹⁶¹ *Exclusive: Trump DOJ’s Top ‘Antifa’ Prosecutor Marched With Crowd on Jan. 6*, Talking Points Memo (Jul. 15, 2026) (talkingpointsmemo.com/news/exclusive-trump-doj-top-antifa-prosecutor-marched-with-crowd-on-jan-6).

¹⁶² *Trump Recasts Foreign Terror List Focus on ‘Antifa,’ Cartels*, The Washington Post (Nov. 15, 2025) (www.washingtonpost.com/national-security/2025/11/15/trump-antifa-terrorist-list/).

¹⁶³ *Trump Recasts Foreign Terror List Focus on ‘Antifa,’ Cartels*, The Washington Post (Nov. 15, 2025) (www.washingtonpost.com/national-security/2025/11/15/trump-antifa-terrorist-list/).

¹⁶⁴ *Trump Administration Plans Summit Targeting Antifa: Report*, Huffington Post (Mar. 31, 2026) (www.huffpost.com/entry/us-counterterrorism-officials-plan-antifa-summit_n_69cba0ffe4b010178ee6f1f3); *Rubio Hosts Conference to Rally Global Opposition to Left Wing Terrorism*, The Washington Post (July 17, 2026) (www.washingtonpost.com/national-security/2026/07/16/rubio-hosts-conference-rally-global-opposition-left-wing-terrorism/).

¹⁶⁵ *Id.*

actually be tied to international terrorist organizations – and therefore open the door to even greater statutory authorities to target these individuals.

Politically Targeted Government Databases, Arrests, and Prosecutions

Americans have seen the impacts of this agenda play out in the streets of our country. Immigration enforcement officers and agents have been arresting Americans – many of whom are participating in First Amendment protected activities like filming the actions of law enforcement officers – for “impeding law enforcement” under 18 US Code 111.¹⁶⁶ According to an analysis by CNN, in 2025 alone federal prosecutors charged this crime at 12 times the rate of the last year of the Biden Administration.¹⁶⁷ CNN also found that the vast majority of cases were dismissed, were pled out, or resulted in a civil citation.¹⁶⁸

A letter from the Todd Lyons, former Senior Official Performing the Duties of the Director of ICE, to Members of Congress helps to clarify questions about whether DHS is maintaining a “domestic terrorism” database of protestors.¹⁶⁹ Lyons consistently denied the existence of a domestic terrorism database, but there is evidence that protestors have been tracked, and agents and officers have photographed protestors and compiled intelligence reports about them.¹⁷⁰ The letter clarifies that while there is not one domestic terrorism database, ICE may – and is – detaining and collecting information about Americans who allegedly commit “crimes against federal personnel and property or threaten, or forcibly impede, assault, or interfere with lawful operations” under its criminal authorities as well as Americans who might be asked to prove that they are citizens under ICE’s civil immigration authorities.¹⁷¹ If these individuals are not arrested or detained, however, the information about them is still retained and can then be shared with other federal, SLTT, or foreign partners through appropriate channels if there is a “need to know.”¹⁷² Unfortunately, the need to know is likely quite broad now that the Administration has labeled people who disagree with its immigration agenda as Antifa, in other words, terrorists. Moreover, according to the letter, ICE may also receive “information from other federal, state,

¹⁶⁶ *How Immigration Agents are Using a Once-Obscure Law to Detain US Citizens*, CNN (Feb. 19, 2026) (<https://www.cnn.com/2026/02/19/us/immigration-law-18-usc-111>).

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ *ICE Tells Legal Observer, 'We Have a Nice Little Database, and Now You're Considered a Domestic Terrorist'*, Reason (Jan. 23, 2026) (reason.com/2026/01/23/ice-tells-legal-observer-we-have-a-nice-little-database-and-now-youre-considered-a-domestic-terrorist/); *ICE Denies Having a Protester Database. But a Letter to Congress Sheds More Light*, NPR (Jun. 10, 2026) (www.npr.org/2026/06/10/nx-s1-5843159/ice-protester-database-dhs).

¹⁷⁰ *'Antifa Safehouse' Leader at Portland ICE Protests Singled Out in Federal Records, Report Says*, The Oregonian (Feb. 4, 2026) (www.oregonlive.com/portland/2026/02/antifa-safehouse-leader-at-portland-ice-protests-singled-out-in-federal-records-report-says.html).

¹⁷¹ Letter from Acting Director Todd Lyons, Immigration and Customs Enforcement, to Representative Maxwell Frost (April 21, 2026).

¹⁷² *Id.*

local agencies, or collect information from open-source sources when it supports a lawful mission, such as law enforcement or national security.”¹⁷³



While Lyons claims ICE is following existing guidelines, DHS has taken a very liberal view of when it must address privacy risks under this Administration. According to privacy laws, government agencies are supposed to go through privacy compliance processes when they develop or update technology systems.¹⁷⁵ But examples like the Mobile Fortify application demonstrate that these processes are not being taken seriously at DHS. Mobile Fortify, a CBP-developed mobile application that is currently being used by ICE and CBP, captures photos of individuals and compares them to various galleries of photos.¹⁷⁶ This facial recognition application is exactly the type of technology that needs proper privacy mitigations, but the documentation suggests that DHS is relying on previous work that has little bearing on how Mobile Fortify is now being used to cover its statutory responsibilities without actually protecting Americans’ privacy.¹⁷⁷

¹⁷³ *Id.*

¹⁷⁴ Department of Homeland Security intensifies surveillance in immigration raids, sweeping in citizens, PBS News (Jan. 30, 2026) (<https://www.pbs.org/newshour/politics/departments-of-homeland-security-intensifies-surveillance-in-immigration-raids-sweeping-in-citizens>).

¹⁷⁵ Privacy Act of 1974, Pub. L. No. 93–579; E-Government Act of 2002, Pub. L. No. 107-347.

¹⁷⁶ US Department of Homeland Security AI Use Case Inventory: Mobile Fortify (accessed Jul. 26, 2026) (dhs-ai-explorer.onrender.com/use-case/DHS-2577).

¹⁷⁷ Mobile Fortify Privacy Threshold Assessment, an early step in the privacy compliance process, demonstrates the lack of seriousness of the process. It points to existing documents for the underlying technology to demonstrate that they have met their privacy requirements, but these documents relate to the basic technology in the application, not its current uses out on the streets of America. The documents referenced cannot possibly address the

Regardless of these claims, the implications of individuals' right to engage in First Amendment protected activity, including peaceful protest, are clear – DHS is collecting and retaining information that may not be properly protected or lawfully collected, and appears intended to intimidate and chill speech.

The President's counterterrorism strategy helps to illuminate the links between what people are seeing on their televisions and the Administration's goals. While the counterterrorism strategy claims it is focused on terrorism, it lays out a broad range of individuals and groups that will be prioritized under "violent left-wing radicals" based on their ideological beliefs, but with no evidence of a threat or clear definition. Specifically, it says that "national CT activities will also prioritize the rapid identification and neutralization of violent secular political groups whose ideology is anti-American, radically pro-transgender, and anarchist." These are the same types of alleged anti-American categories in NSPM-7. But what they actually mean in practice is ambiguous and essentially left up to the government to determine.

The strategy then tasks the government with identifying alleged networks of individuals and organizations that support these vague ideologies. The actions it proposes – like mapping out the membership of groups that it has lumped together based on beliefs it determines are "anti-American" or "radically pro-transgender" – are extraordinary steps that the U.S. government generally does not take with even the most extreme domestic groups in the United States unless it is aware of plans to commit acts of violence because of First Amendment and Second Amendment protections. In this instance, the focus is based only on targeting people and groups whose ideology differs from the Administration in power, not on any fact-based analysis of threats to Americans. Ultimately, the strategy exaggerates and creates connections between individuals along with their potential for violence and posits alleged foreign involvement – under the term terrorism – all to justify surveilling, intimidating, and prosecuting American citizens.

While there is no criminal charge for domestic terrorism under federal law, the government has long maintained the ability to seek sentencing enhancements and include conspiracy and material support charges in prosecutions for other crimes it may charge. In recent months, as the DOJ has tried several cases against alleged "Antifa" cells; it has begun creating a record, intended or not, of a terrorist network where one does not necessarily exist. In several cases, DOJ has charged groups of individuals with not only crimes but with conspiracy to commit these crimes as part of Antifa. In Alvarado, Texas, as mentioned above, a group of individuals participated in a protest that became violent. One individual shot a law enforcement officer. However, multiple individuals who took no violent action, but who helped plan or were at the protest and shared the shooter's views of ICE, were charged and found guilty of conspiracy and material support for

mitigation of privacy threats when they were not drafted to address these different environments with immigration officers photographing individuals and retaining data even if no charges are ever filed. *See* U.S. Department of Homeland Immigration and Customs Enforcement Security Privacy Threshold Analysis (Sep. 2025) (<https://www.ice.gov/doclib/policy/developerPrivacyPolicy.pdf>).

terrorism.¹⁷⁸ One individual, who did not participate in the protest, but whose wife did, received 30 years in jail for moving pamphlets, which the prosecution argued was a conspiracy to conceal documents.¹⁷⁹ They all received between 30 and 100 years in jail – much more significant sentences than anyone involved in the January 6th attack on the U.S. Capitol. Some observers of the trial raised concerns about the judge’s decisions and about how this case might chill free speech.¹⁸⁰ Several of the individuals have said that they intend to appeal their sentences. In Minnesota, DOJ is prosecuting fifteen individuals, which the Administration has labeled “Antifa operatives,” for various crimes as well as for conspiracy.¹⁸¹ In so doing, it is associating all the individuals in the case with each other’s actions because they all shared the same concerns about immigration enforcement in Minnesota, texted each other, and some of those individuals made plans to attend protests together – not necessarily because they were all involved in violent crimes or in conspiring to carry them out.

While DOJ has the right to charge individuals for crimes that they commit, in these and other instances, they are attempting to build a record of “Antifa,” and use that to implement the rest of NSPM-7 by tying disparate groups and individuals together under the “Antifa” label. Under U.S. law, this is different, for example, from convictions of individuals who either were members of, coordinated with, or were inspired by known and designated foreign terrorist organizations.¹⁸² Congress has created a process for the designation of foreign terrorist organizations, because Congress and the courts have determined that there are not the same concerns about First Amendment protected rights of speech and association. Therefore, the material support provisions associated with foreign terrorism can involve membership in, direction of, or coordination with the group, while knowing the group’s designation, rather than a specific intent to commit a crime. In cases of domestic terrorism, the government may point to an ideological motivation and argue that a crime or foiled attempted crime was an act of terror, but material support must be tied to the crime and not to membership in, direction from, or coordination with a group. Conspiracy cannot simply be sharing a worldview, discussing this view, or associating with others who share this view – it must be conspiring to commit a crime.

At the same time, the Administration has further stretched the limits of the counterterrorism infrastructure and authorities by labeling gangs and cartels as foreign terrorist organizations, stretching the definition of terrorism that is usually focused on political or social motivations to

¹⁷⁸ Criminal Complaint (July 7, 2025), *United States v. Arnold*, N.D. Texas. (No. 4:25-cr-00259).

¹⁷⁹ Criminal Complaint (July 9, 2025), *United States v. Song*, N.D. Texas. (No. 4:25-mj-00468).

¹⁸⁰ *How Will Trump’s DOJ Prosecute ‘Antifa?’ The Prairieland ICE Shooting Trial Could be the Playbook*, Keranews (Oct. 30, 2025) (www.keranews.org/criminal-justice/2025-10-30/antifa-alvarado-immigration-customs-enforcement-terrorism-trial-texas-donald-trump-justice-department); *‘This is injustice’: how leftist zines were used to sentence anti-ICE protesters to decades in prison*, The Guardian (June 24, 2026) (www.theguardian.com/us-news/ng-interactive/2026/jun/24/prairieland-texas-ice-protests-zines).

¹⁸¹ Indictment (Jun. 11, 2026), *United States v. Sant*, D. Minnesota (No. 0:26-cr-00115).

¹⁸² Thomas E. Brzozowski, *National Security and Domestic Terrorism: The Legal and Legal Policy Implications of Creating a Domestic Terrorism Organization List*, Harvard Law School National Security Journal (March 29, 2023).

include criminal organizations.¹⁸³ These designations have led the NCTC, created after 9/11 to coordinate the federal counterterrorism work, to surge resources to focus on these groups.¹⁸⁴ The Administration has also attempted to use these designations to justify bombing vessels the President claims carry narco-terrorists in the Caribbean Sea and Pacific Ocean, and to abduct and prosecute the Venezuelan President and his wife. Designating organizations as foreign terrorist organizations does not confer such authorities on the President, and yet, he has argued again and again that they do.¹⁸⁵

This Administration has blurred the line of what terrorism is and has sought to pre-determine what is a threat based on politics – not the reality of the threat landscape. Given this warped approach, it is hard for Congress and the American people to understand what actual threats face our homeland and whether we are prepared to prevent, counter, and respond to these threats.

A Failure to Protect

On January 6, 2021, armed insurrectionists attacked the U.S. Capitol in an effort to disrupt the peaceful transfer of power, assaulting law enforcement officers, and hoping to hang the sitting vice president. Investigations into that attack, including by this committee, found that the FBI and DHS missed the warning signs and were unprepared to prevent it. One of the main reasons was the first Trump Administration's ideological decision to underplay threats from white supremacists and militia extremists – even as neo-Nazis were marching through the streets of Charlottesville and white supremacists were killing congregants in synagogues and shoppers at supermarkets. Although it was not as acute as this term, that Administration worked to divert resources to focus on Antifa and groups like Black Lives Matter, at the expense of focusing on very real threats to public safety.

But the second Trump Administration is escalating its mistakes from the first term – making national security and counterterrorism decisions based solely on ideological and political motivations and without a reliance on nonpolitical data and intelligence and the advice and experience of career law enforcement experts to guide its focus – many of whom have been fired. The second Trump Administration is gutting the key agencies and offices responsible for protecting Americans from terrorism; eliminating grants for state, local, Tribal, territorial law enforcement, governments, and other stakeholders, including nonprofit organizations; and reassigning federal law enforcement officers to focus on immigration enforcement at the cost of

¹⁸³ The Brookings Institute, *Who is a Terrorist Actually?* (Sept. 20, 2026) (www.brookings.edu/articles/who-is-a-terrorist-actually/).

¹⁸⁴ Office of the Director of National Intelligence: *NCTC Supports Law Enforcement, Disrupts FTO-Designated Cartels and Gangs* (Aug. 25, 2025).

¹⁸⁵ *Collection: U.S. Lethal Strikes on Suspected Drug Traffickers, Operation Southern Spear, Operation Absolute Resolve*, Just Security (Jul. 16, 2026) (<https://www.justsecurity.org/120753/collection-u-s-lethal-strikes-on-suspected-drug-traffickers/>).

their counterterrorism responsibilities. Moreover, it is diverting what remains of intelligence and law enforcement resources to focus on Antifa and other groups it disagrees with and misallocating critical counterterrorism resources and attention away from combatting credible terrorist and public safety threats to its own ideological agenda.

These actions have eroded decades of institutional knowledge and public trust that will take generations to rebuild. While the history of counterterrorism after 9/11 has been complex and led to debates about the balance between security and civil liberties, communities have also come to rely on federal law enforcement to protect them and to work in partnership with STTL law enforcement partners to investigate, disrupt, and prevent terrorist attacks. Relationships between communities and federal agencies that helped provide key information about these threats – which in some communities took years to rebuild after 9/11 – have been strained and in many instances broken by the redirection of these law enforcement agents and officers to indiscriminate immigration enforcement activities.

In addition, DOJ and DHS's cancelation of grant agreements and politicization of grant applications and allocations are also breaking trust between these federal agencies and partner organizations and communities. Stakeholders are not sure whether they qualify for grants and what might cause them to lose them in the future. And the hollowing out of key DOJ and DHS components are leaving SLTT police and sheriffs' departments, critical infrastructure operators, and nonprofit organizations without the federal tools that they rely on to protect Americans. These cuts hurt efforts to keep Americans safe from real, evidence-based threats.

At the same time, the President has shown a desire to use these stretched and limited counterterrorism resources to target his opponents. He has announced that anyone who opposes his policies is Antifa and demonstrated that he will use this infrastructure to target Americans who disagree with him.

On September 11, 2026, we will mark the 25th anniversary of the largest foreign terrorist attack on our homeland – one that sparked the restructuring of America's counterterrorism infrastructure. As we mark that anniversary, America confronts increased threats of terrorism overseas and at home. For twenty-five years, policymakers and the American public alike have grappled to define terrorism and resource priorities needed to counter and prevent it while limiting infringement on Americans' civil rights and civil liberties. The actions taken by this Administration undermine the parts of the system that worked and exacerbates concerns that this infrastructure will be turned on Americans for political and not national security purposes – creating vulnerabilities in America's preparedness and counterterrorism systems and ultimately jeopardize the safety of the American people. And with the Administration's pre-determined priorities, it is hard for Congress and the American people to know what the true counterterrorism threats are and how to prepare for them.