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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

September 10, 2026

The Honorable Kash Patel
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue NW
Washington, D.C. 20535

Dear Director Patel:

I write to express my serious concerns about the Administration's counterterrorism priorities, and to notify you of your records retention obligations to ensure that the Federal Bureau of Investigation (FBI) preserves all relevant records and communications related to the Administration's actions.¹

Recently, as Ranking Member of the Senate Homeland Security and Governmental Affairs Committee, I released a report titled *Failure to Protect: How the Trump Administration Gutted, Politicized, and Weaponized America's Counterterrorism Infrastructure*, which outlined the Administration's dismantling of critical national security agencies and programs and diversion of significant resources and attention away from the fight against terrorism. The report catalogued the ideologically motivated firings, realignment of personnel, dismantling of key offices, the politicization of critical grants, and the wielding of government resources as a weapon against political opponents that are undermining our nation's security.

At the FBI, the Administration specifically targeted experienced lawyers and agents who were involved in investigations and prosecutions it disfavored, including the January 6th attack on the Capitol and any of the investigations into President Trump.² It has replaced seasoned FBI executives holding decades of experience with loyalists who have little to no agency, let alone counterterrorism, experience.³ The loss of these experienced personnel undercuts decades of experience and relationship building and puts every American at risk.

¹ Federal Records Act, 44 U.S.C. §§ 3101, 3106; Presidential Records Act, 44 U.S.C. §§ 2201 2203; Paperwork Reduction Act, 44 U.S.C. § 3506; 18 U.S.C. § 2071 (concealing, removing, or destroying records is a criminal offense); 39 C.F.R. §§ 261 – 268.

² *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).

All of this is happening while the United States remains in a conflict with a leading state-sponsor of terrorism and its proxies, Americans continue to fear that they will be killed in their own houses of worship, and political violence has spiked across the country. Consistent and clear data about the threat of domestic terrorism to Americans is a major gap, which is why I ensured that Congress established a requirement in the Fiscal Year 2020 National Defense Authorization Act that the FBI and Department of Homeland Security provide Congress and the American people with a yearly strategic assessment so we could ensure the executive branch is properly resourcing and addressing the real threats facing Americans. The Administration's 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.⁴ The Administration also quietly removed a DOJ study from a DOJ website showing that since 1990, far- right extremist attacks have outpaced all other types of terrorism and domestic violent extremism.⁵

At the same time, the Administration has ignored significant evidence-based threats from white supremacists, nihilist violence extremists, and other extremists to instead target its political opponents under the guise of “left-wing extremism.” Despite the lack of evidence that “left-wing extremism” is the most significant domestic terrorism threat to Americans, the President unlawfully “designated” Antifa a domestic terrorist organization and put out National Security-Presidential Memorandum-7 ordering government agencies to focus their resources on this priority.⁶ Former Attorney General Pam Bondi then disseminated an implementation memo to all federal prosecutors, law enforcement agencies, and DOJ grant-making components outlining this as a top priority for DOJ and its agencies.⁷ Now Joint Task Force Vanguard is leading these efforts across the government.

The American people deserve to have confidence that their leaders are protecting them from the real threats we face. I therefore direct you to preserve all existing and future records and materials on counterterrorism activities and efforts, including all decisions about personnel, resource allocation and prioritization and any data backing the Administration's counterterrorism priorities.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and

³ *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).

⁴ Office of the Director of National Intelligence, *ANNUAL THREAT ASSESSMENT OF THE U.S. INTELLIGENCE COMMUNITY* (Mar. 2025).

⁵ *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/).

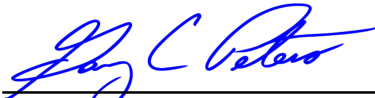
⁶ *Trump's Orders Targeting Anti-fascism Aim to Criminalize Opposition*, Brennan Center for Justice (Oct. 9, 2025) (www.brennancenter.org/our-work/research-reports/trumps-orders-targeting-antifascism-aim-criminalize-opposition).

⁷ 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).

effectiveness of all agencies and departments of the Government.”⁸ Additionally, Senate Resolution 70 (116th Congress) authorizes the Committee to investigate “the efficiency and economy of operations of all branches of the Government.”⁹

Thank you for your prompt attention and cooperation in this matter. If you have any questions about this request, please contact my staff at (202) 224-2627.

Sincerely,



Gary C. Peters
United States Senator
Ranking Member, Committee
on Homeland Security and
Governmental Affairs

⁸ Senate Rule XXV.

⁹ S. Res. 70, 116th Cong., 1st Sess. (2019).