



## Trump's DOJ issues phony terrorism "report" to incite anti-immigrant sentiment

Henry Millstein

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The Department of Justice just released a report on foreign-born individuals convicted in the U.S. of "terrorism-related" charges from September 11, 2001 to the present. The report was required by the Trump Administration's first "Muslim ban" executive order (since superseded by a second) and, as required, deals only with convictions supposedly related to *international* terrorism. The report is clearly designed to support those executive orders and other elements of the administration's restrictive immigration policy.

Attorney General Jeff Sessions declared as much in the [press release accompanying](#) the issuance of the report: "This report reveals an indisputable sobering reality—our immigration system has undermined our national security and public safety. And the information in this report is only the tip of the iceberg: we currently have terrorism-related investigations against thousands of people in the United States, including hundreds of people who came here as refugees."

The centerpiece of the report is the statement that 549 foreign-born individuals have been convicted of international terrorism or "terrorism-related" offenses since 9/11/2001. (Curiously, this figure is smaller than that of 627 given by the DOJ in 2015 as having been convicted between 9/11/2001 and 2015 of such charges; the report does not mention the discrepancy.) This figure is the basis for the claim that the report shows that "Three Out of Four Individuals Convicted of International Terrorism and Terrorism-Related Offenses were Foreign-Born," as Sessions' press release proclaims.

### **"Terrorism-related" crimes**

What does "terrorism-related" mean? U.S. law does not designate any crimes with the label of "terrorism-related." The government's Information Sharing Environment, an anti-terrorism service related to the GAO, defines "terrorism-related" as relating to "terrorism, homeland security, and law enforcement, as well as other information." This "definition" is so broad as to be essentially meaningless.

The Cato Institute points out that "the DOJ often labels 'terrorism-related' a conviction for a crime having nothing to do with terrorism but where prosecutors or investigators merely suspected or investigated the possibility of a person having some connection to a foreign terrorist

organization.” In fact, the DOJ Inspector General reported in 2013 that the Justice Department was significantly overstating its “terrorism-related” convictions.

Many—according to some accounts nearly 50 percent of—terrorism prosecutions result from FBI entrapment operations, in which FBI agents approach an individual suspected of having terrorist sympathies with encouragement and a promise of means to carry out a terrorist action and then arrest him or her when he or she expresses some interest in cooperating.

As Sessions explicitly stated, the report is meant to show that immigrants and current immigration policy are placing the nation at risk. However, as the *New York Times* and others have pointed out, the figures given for foreign-born individuals convicted on “terrorism-related” charges include people who committed terrorism offenses overseas and were then extradited to the U.S. to face trial. Clearly, such people are not “immigrants,” nor do their actions—even when they did commit terrorist acts—threaten residents of the U.S. on U.S. soil.

In addition to figures, the report describes eight individuals convicted of terrorism or “terrorism-related” charges. The selection of these examples seems to shed more light on the administration’s political agenda than on the level of threats from immigrants. Four of the eight, and the parents of a fifth, were admitted to the U.S. as relatives of people already resident, two came via the diversity lottery that allocates visas to residents of countries that have had little immigration to the U.S., and one came as a refugee. This selection dovetails seamlessly with the administration’s plan to eliminate the diversity lottery and to severely restrict the admission of refugees and of family members of current U.S. residents.

### **No clear connection to actual threat level**

The figures given in the report give no indication of the actual level of threat that these categories of immigrants actually pose. During the period in question, the U.S. admitted some 11 million people as relatives of U.S. residents. Even if all 549 of those convicted of offenses related to terrorism had come through that program (which of course is impossible), and even if all those 549 posed a genuine threat (highly unlikely, given the facts cited above), it is still the case that only .00491 percent of immigrants so admitted would have posed any threat.

In the same period, the U.S. admitted around 1 million refugees; even if all 549 had been refugees (again impossible) and genuinely posed a threat (again highly unlikely), that still means that only .0549% of refugees would have posed a threat. These figures are so minuscule that it is hard to imagine them outweighing the reasons for continuing the admission of family members and refugees.

The implication in Sessions’ report is that we should expect foreigners to be especially prone to commit domestic violence—without any evidence to that effect.

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The report cites a number of other figures intended to demonstrate a substantial threat from immigrants. It points out that “in fiscal year 2017, DHS had 2,554 encounters with individuals on the terrorist watchlist (also known as the FBI’s Terrorist Screening Database) traveling to the

United States.” This again represents only a minuscule portion of those traveling to the U.S. each year. Moreover, the number of “encounters” can include multiple encounters with the same individuals, and the terrorist watchlist is notoriously unreliable.

The report makes much of offenses against women but gives information even more questionable than that cited above. It cites the fact that there are approximately 1.3 million non-fatal domestic violence incidents each year in the U.S., stating that it does not know what proportion of these are committed by the foreign-born but promising to seek such information. The implication is that we should expect foreigners to be especially prone to commit domestic violence—without any evidence to that effect.

It also cites a DOJ estimate from 2014 that there are 23 to 27 “honor killings” each year in the U.S. (presumably again by immigrants) and a 2016 estimate by the Centers for Disease Control that “513,000 women and girls in the United States were at risk for undergoing FGM [Female Genital Mutilation] or its consequences in 2012—a number three times higher than the number estimated at risk in 1990” and an accompanying statement that the increase “was wholly a result of rapid growth in the number of immigrants from FGM/C-practicing countries living in the United States.” This data has nothing to do with terrorism, the ostensible subject of the report, and appears to have been added to further the objective of portraying immigrants as a danger to the nation.

### **Far-right domestic terrorism the bigger threat**

Finally, the analysis by the Cato Institute (a libertarian think-tank that cannot be suspected of liberal sympathies) points out that “the DHS/DOJ report ignores the most important statistic: how many people were actually killed by these terrorists on U.S. soil... a total of 155 people were killed on U.S. soil in terrorist attacks since January 1, 2002, 34 of them by foreign-born terrorists and 121 of them by domestic terrorists.” This means that “the chance of being murdered by a foreign-born terrorist was about one in 145 million per year.” By contrast, the chance of being murdered in a non-terrorist homicide was one in 19,325 per year, or 8,265 times greater.

The figures given by the DOJ in the report actually show the greater threat clearly emanates from home-grown terrorists, not from immigrants.

Note should also be taken of the disparity between the figures given for the victims of terrorism by the foreign-born versus those for the victims of terrorism by native-born Americans. In the period under discussion, 78 percent of U.S. victims of terrorism were killed by domestic terrorists and 22 percent by foreign-born terrorists. As the Cato Institute points out, this turns the figures given by the DOJ in this report on their head. The greater threat clearly emanates from home-grown terrorists, not from immigrants.

Admittedly, the report by design, in response to the requirements laid out in Trump’s executive order, deals only with terrorism by the foreign-born; nonetheless, it seems irresponsible, in view of the current public concern with terrorism, to discuss the danger of terrorism by non-native

actors without at least mentioning the considerably greater danger posed by native-born American terrorists.

A report from the GAO issued in April 2017 indicates that 73 percent of deadly attacks in the United States have been carried out by “far-right extremist groups.” Why is the Trump administration so concerned with rousing fears of foreign-born terrorists, when native-born ones pose an even greater (though still minuscule in numerical terms) threat?

The data given in this report is, therefore, as stated by the Cato Institute, essentially useless—or perhaps more accurately, extremely useful to the Trump administration in its efforts to demonize immigrants and incite the U.S. public against them.