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## President Trump's claim that foreigners are responsible for 'the vast majority' of terrorism convictions since 9/11

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*"According to data provided by the Department of Justice, the vast majority of individuals convicted of terrorism-related offenses since 9/11 came here from outside of our country."*  
— **President Trump, address to Congress, Feb. 28, 2017**

When President Trump signed the Muslim ban executive order in early 2017, we looked into several exaggerated claims by Trump and other administration officials about foreigners convicted of terrorism.

This claim from Trump's first address to a joint session of Congress is relevant again. It is now the basis of an Aug. 11, 2017, Freedom of Information Act lawsuit filed against the federal government over the administration's refusal to disclose information relevant to this claim.

Moreover, on Aug. 12, 2017, an Ohio man was accused of ramming a car into a crowd protesting a white nationalist rally in Charlottesville. The man is believed to espouse extremist ideals, drawing attention to the acts of domestic terrorism by U.S. citizens — a problem that the Trump administration typically does not address when speaking about the threat of terrorism in the United States.

We dug into the facts about domestic and international terrorism, and the share of U.S. citizens and foreign-born individuals. The DOJ and the White House did not respond to our request for comment.

### The Facts

Trump's exaggerations on the terrorism threat of foreigners emerged early in the presidential campaign. We gave Four Pinocchios to his claim that "scores of recent migrants" were charged with terrorism, and "for every case known to the public, there are dozens and dozens more."

Then in June 2016, Sen. Jeff Sessions's then-Senate office compiled data from the DOJ's National Security Division on foreign-born individuals convicted in terrorism cases since 9/11. According to the analysis, at least 380 of 580 convicted individuals in terrorism cases since 9/11 were foreign-born.

There were many problems with using that data set to support Trump's sweeping claims about foreigners and the threat of terrorism.

Only 40 of the 580 convictions (6.8 percent) were for attacks planned or committed on U.S. soil, according to an analysis by Alex Nowrasteh of the Cato Institute, a Libertarian think tank. Most of the cases were convictions for supporting, joining or planning a terrorist attack overseas, he found.

The list does not include domestic terrorism (such as the Charlottesville attack). "If you exclude all convictions for 'domestic terrorism' at the outset, how can you draw any overall conclusions on the citizenship status or national origin of those convicted of terrorism?" wrote Shirin Sinnar, an associate professor at Stanford Law School, who obtained and analyzed a more updated version of the list from the DOJ National Security Division through a Freedom of Information Act request.

While Trump often talks about the threat of foreigners, domestic terrorism and homegrown extremism is a major concern. Of the 85 violent extremist incidents that resulted in death since Sept. 12, 2001, 73 percent (62) were committed by far-right-wing violent extremist groups, and 27 percent (23) by radical Islamist violent extremists, according to the Government Accountability Office.

The number of deaths attributed to radical Islamist violent extremists (119) is about the same as the number attributed to far-right-wing violent extremists (106), but 41 percent of the deaths attributed to the Islamist extremists occurred at the Pulse nightclub in Orlando in 2016, the GAO found.

Federal law enforcement agencies warned in May 2017 that white supremacist groups were "responsible for a lion's share of violent attacks among domestic extremist groups," according to a bulletin prepared by the FBI and Department of Homeland Security, obtained by Foreign Policy. White supremacists "were responsible for 49 homicides in 26 attacks from 2000 to 2016 ... more than any other domestic extremist movement," the document shows.

And, the number of people born abroad on the DOJ list included 100 people who were extradited to the United States for prosecution, according to researchers at Lawfare Blog, who thoroughly debunked Trump's claim, in a three-part series in April.

"The data Trump cited in his speech to the Joint Session of Congress simply don't support his claims that a 'vast majority' of individuals on the list came from outside the United States — unless, that is, you include individuals who were forcibly brought to the United States in order to be prosecuted and exclude all domestic terrorism cases," according to Lawfare Blog researchers Nora Ellingsen and Lisa Daniels.

Yet for his speech to Congress in February, the White House relied on the June 2016 research from Sessions's former Senate office, not the current Department of Justice under Attorney General Sessions, PolitiFact found. Unless the Department of Justice, now led by Sessions, provided some other data to the White House, Trump's claim is not supported by facts.

What other DOJ data could possibly exist that support Trump's claim? Was the DOJ consulted before the White House wrote that speech? That's what the lawsuit filed by Benjamin Wittes, editor in chief of Lawfare Blog and senior fellow in Governance Studies at the Brookings Institution, aims to find out. (The blog also has a weekly podcast, [Lawfare Podcast](#).)

In April 2017, Wittes filed a Freedom of Information Act request to find out whether DOJ data exist that support Trump's claim, and what, if any, communications took place between DOJ officials and the White House before Trump's speech to Congress.

"I believe the president was lying not merely about the underlying facts but also about his own Justice Department," Wittes wrote in April. "Or, in the alternative, I believe it's possible that the Office of the Attorney General may have supported the White House's claim. But I think it extraordinarily unlikely that the folks at NSD [National Security Division] actually provided data in support of this presidential statement."

There was no response within the statutory deadline, prompting Wittes to [file an Aug. 11, 2017, lawsuit](#) against the DOJ and the Office of Management and Budget.

What *do* we know about the foreigners' terrorist threat to the U.S. homeland? The answer: Not what the president claimed.

[New America found](#) 413 people charged with or credibly involved in radical Islamist-inspired activity in the United States since 9/11; half (207) were U.S.-born citizens. An additional 87 were naturalized citizens, and 47 were permanent residents.

"Far from being foreign infiltrators, the large majority of Islamist militant terrorists in the United States have been American citizens or legal residents," according to the New America report on Islamist militant activity since 9/11.

#### The Pinocchio Test

Despite repeated fact checks of Trump's use of Department of Justice data, it made its way into his maiden speech to Congress in February — and now, into a FOIA lawsuit against his DOJ.

Unless the Department of Justice, led by Sessions, provided some other data to the White House, Trump's claim is not supported by the June 2016 analysis by Sessions's former Senate office. The information in that analysis came from the DOJ's National Security Division, but Trump twisted the data to make an unsupported claim.

Sessions has been attorney general for six months. He has had ample opportunity to release official findings to either correct the record, or back up the president's claim. Sessions and the administration must set the record straight for the public, and he has a duty to release all relevant information regarding the president's claims about the threat of terrorism to the United States.

If new information emerges, we will update this fact check. But until then, we award his claim Four Pinocchios, for a grossly exaggerated misuse of federal data.