



**The Federal Bureau of Investigation's Domestic Terrorism
Threat Review and Prioritization Process
Staff Report — Unclassified Summary
September 24, 2026**

On September 24, 2026, the staff of the Privacy and Civil Liberties Oversight Board (PCLOB) released a comprehensive oversight report entitled *The Federal Bureau of Investigation's Domestic Terrorism Threat Review and Prioritization Process*.¹ PCLOB's Countering Domestic Terrorism Project examines how the Government, in its efforts to counter domestic terrorism:

- Defines and identifies distinct groups of people that may present or face a significant level of domestic terrorism threat meriting Government response, prevention, or protection activities;
- Assesses the domestic terrorism threat presented or faced by such groups, and prioritizes the Government response, including prevention and protection activities;
- Determines the type, amount, and allocation of resources considering the level of the domestic terrorism threat to and from such groups;
- Ensures that efforts to counter domestic terrorism do not disproportionately or otherwise inappropriately affect particular racial groups, historically underserved communities, religious groups, politically disfavored groups, and other individuals, relative to the threat, and how this is reflected in the Government's policy and training;
- Ensures that operational personnel comply with such policy and training as they execute mission activities, including and with respect to communities of color, religious communities, and political groups; and
- Limits use of racial, religious, political, or ideological affiliation as a predicate for investigation or surveillance.

The report, which is classified, was shared with relevant Executive Branch agencies and Congressional committees. Below is an unclassified summary.²

¹ The initiation of this oversight project was approved by a quorate Board in November 2022. The report reflects the analysis of the Privacy and Civil Liberties Oversight Board's staff, but has not been voted on or approved by a quorate Board. Per the Board's Sub-Quorum Policy, adopted October 23, 2024, all conditions for publication of this report have been met. See Priv. and C.L. Oversight Bd., *Sub-Quorum Authorities and Operations when Position of Chair is Vacant, Policy 102-01*, § 6.1.C (Oct. 23, 2024).

² Board Member Williams thanks all current and former staff members who contributed to this project over the past four years. Member Williams and PCLOB staff also thank the FBI, and especially its privacy and civil liberties leadership, for their cooperation and assistance with PCLOB's questions and requests.

Efforts to counter domestic terrorism, especially with respect to threat awareness, surveillance, and intelligence gathering, may uniquely impact Americans' privacy and civil liberties. This is especially true for groups with shared racial, religious, political, or ideological affiliations. Groups whose members are suspected of engaging in domestic terrorism, as well as those whose members are targets or victims of domestic terrorism, bear these potential impacts. For these reasons and others, it is important to understand how the Government identifies and prioritizes domestic terrorism threats.

The Federal Bureau of Investigation (FBI) has primary responsibility for preventing and investigating acts of domestic terrorism. Since Fiscal Year 2013, the FBI has utilized the Threat Review and Prioritization (TRP) process to establish annual threat priorities, including domestic terrorist threats.³ Threats are prioritized according to bands (Bands I-VI) within a given program,⁴ with Band I being the highest threat level. TRP is intended to be used to identify threat actors, support strategic planning, ensure coordination between Headquarters and Field Offices, and allocate resources.

Threat banding decisions, definitions, and classifications for domestic terrorism have evolved significantly since FY 2013. FBI Headquarters decides which threat issues the Bureau will adopt and decides the Bureau's overall strategy to mitigate each threat. Individual Field Offices are able to adjust banding levels according to their specific threat situations in their individual Field Office strategic plans.

The FBI laudably spends significant time, effort, and resources to conduct a TRP process that identifies and prioritizes threats. The TRP process has helped inform the FBI enterprise about domestic terror threats and has provided flexibility for the FBI to counter those threats.

The process, however, lacks rigor and clarity, raising questions about its mission utility, and posing indirect risks to privacy and civil liberties. The gradual convergence of distinct domestic terrorism threats into overarching categories, such as anti-government and anti-authority violent extremism, appears to limit their operational and administrative value. The convergence also calls into question the utility of the bands themselves. Most of the domestic terrorism threat categories have been banded at Band IV or higher over the last decade, with consolidation apparently driving the heightened threat banding. This trend may have operated to overstate the risk of certain groups, potentially leading to heightened scrutiny of individuals within those groups as they are banded at higher levels than they might have been absent consolidation.

The process also suffers from overly inclusive, overlapping, and shifting definitions, as well as a lack of rigorous standardized inputs for reaching banding decisions, review for privacy and civil liberties implications, and meaningful evaluation metrics to ensure the process is useful to the FBI's domestic terrorism mission. These problems may be mitigated, however, because the TRP process is not a mechanism that governs how intelligence and operational functions are conducted. Nor do TRP outputs meaningfully drive the allocation of resources. Indeed, the Bureau has other processes for allocating

³ The FBI has advised PCLOB that it is decommissioning and replacing the TRP process effective September 30, 2026. The FBI has stated it will consider and incorporate as applicable PCLOB's report recommendations in its revised process.

⁴ Band I threats, also known as National Threat Priorities, are considered the top tier of threats, with Band VI being the lowest tier.

resources across the counterterrorism enterprise, and the relationship between threat banding and the allocation of resources is only indirect.

To address these concerns, PCLOB recommends that the FBI improve its future threat prioritization process by: making domestic terrorism threat categories specific, distinct, and useful; requiring the use of objective criteria to guide banding decisions; and defining key terms and improving existing definitions. The FBI should also take additional measures to limit the impact of banding decisions on groups with shared affiliations, and direct resources in accordance with threat level. Finally, the FBI should add privacy and civil liberties reviews to the threat prioritization process, improve transparency for both banding decisions and resource allocation, and regularly evaluate program performance for all threat tiers.

A more rigorous process could enable future threat prioritization efforts to be both more valuable to the counterterrorism mission and more privacy and civil liberties protective.