

Attacks on Freedom of Speech: What Nonprofits Need to Know

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President Trump signed on September 25, 2025 a presidential memorandum, “[Countering Domestic Terrorism and Organized Political Violence](#),” directing federal agencies to investigate, prosecute, and disrupt nonprofit organizations the Administration claims is supporting or funding domestic terrorism. With the memorandum, the Administration continues its targeted attack on nonprofits that oppose its priorities and ideology.

The memorandum was signed after months of escalating, dangerous rhetoric by the President and senior White House officials denigrating nonprofits, portraying them as “enemies” of the American people, and falsely accusing nonprofits of fueling radicalization and political violence without providing evidence of wrongdoing. The memorandum comes just days after the President signed an executive order designating Antifa as a “[domestic terrorist organization](#),” despite former FBI Director Christopher Wray’s testimony during the first Trump Administration that Antifa “is [not a group or organization](#). It’s a movement or an ideology.” Moreover, it was signed the same day as [reports](#) that the President directed the U.S. Department of Justice (DOJ) to launch a baseless criminal investigation into the Open Society Foundations, an [unprecedented and direct assault](#) on the nonprofit sector.

The National Council of Nonprofits condemns the presidential memorandum as an egregious, attempted abuse of power. NCN president and CEO Diane Yentel stated,

This action... is a blatant attack on one of the core principles of our democracy, the freedom of speech. This rhetoric and action undermines the lifesaving work of millions of nonprofit staff and volunteers and puts them at risk.

With the memorandum, the Administration threatens to:

- **Abuse the power of government to silence dissent.** Weaponizing the power of government to silence dissent and undermine our constitutional rights threatens democracy. Such actions are counter to the freedoms guaranteed to us in America, including the freedom of association and freedom of speech.

- **Exploit the tragedy of political violence to intimidate nonprofits, setting a dangerous precedent.** Political violence has no place in America. Neither does intimidating and baselessly threatening nonprofits. Nonprofits must be free to pursue their missions without fear of political retribution, regardless of which Administration is in power. The memorandum is attempted censorship masquerading as protection, setting a dangerous precedent that would allow this and future administrations to similarly chill the speech of nonprofits they oppose.
- **Target nonprofits based on their mission.** The presidential memorandum attempts to target nonprofits serving immigrants, advancing racial equity, and supporting the LGBT community. Without evidence, the memorandum claims that “domestic terrorism” and organized political violence is driven, in part, by “extremism on migration, race and gender.” The memorandum mirrors other actions – such as freezing federal funding or terminating contracts - taken by the Administration to attempt to target organizations based on whether the Administration supports their missions or the communities they serve.

Take Action

The National Council of Nonprofits and other national leaders oppose the Administration’s efforts to unjustly target nonprofits and urge nonprofits nationwide to make their voices heard!

Take Action:

- **Join NCN and more than 3,000 organizations on a National Solidarity Letter.** The letter rejects both political violence and the abuse of government to silence nonprofits. [Sign on](#)
- **Register for a national webinar on Monday, September 29 at 4:00 pm Eastern.** The webinar will provide key information about the memorandum, its implications, and what to expect going forward. NCN President and CEO Diane Yentel will be a speaker on the webinar. [Registration Link](#)
- **Contact Your Members of Congress** - Urge your Senators and Representatives to protect all nonprofits from ideologically driven attacks using our email template. [Email Template](#)

Background

Several recent executive actions – including the presidential memorandum, “[Countering Domestic Terrorism and Organized Political Violence](#),” an executive order designating Antifa as a “[domestic terrorist organization](#),” and [reports](#) that the President directed the DOJ to launch a [baseless criminal investigation](#) into the Open Society Foundations – are part of an alarming trend of this Administration weaponizing government to target nonprofits.

The latest memorandum authorizes and directs the Joint Terrorism Task Force to “coordinate and supervise a comprehensive national strategy to investigate, prosecute, and disrupt entities and individuals engaged in acts of political violence and intimidation designed to suppress lawful political activity or obstruct the rule of law.” The task force is directed to investigate not only individuals who engage in unlawful activity but also “institutional and individual funders, and officers and employees of organizations, that are responsible for, sponsor, or otherwise aid and abet the principal actors” and non-governmental organizations “funding, creating, or supporting entities that engage in activities that support or encourage domestic terrorism.”

In a [factsheet](#) accompanying the presidential memorandum, the Administration claims protected political speech, including speech comparing the Administration’s actions to fascism or Nazism, is “directly responsible” for domestic terrorism. NCN and other national leaders warn that this or future Administrations could use the memorandum as a pretense to criminally prosecute nonprofit organizations working to counter an Administration’s priorities.

The memo:

- Directs the Attorney General to provide guidance that “ensures domestic terrorism priorities include politically motivated terrorist acts such as organized doxing campaigns, swatting, rioting, looting, trespass, assault, destruction of property, threats of violence, and civil disorder.”
- Requires the Commissioner of the Internal Revenue Service (IRS) to “ensure that no tax-exempt entities are directly or indirectly financing political violence or domestic terrorism,” and to refer such organizations to the DOJ for investigation and possible prosecution.
- Authorizes the Attorney General to recommend organizations that the President should designate as a “domestic terrorist organization.”

These expansive authorities – and the unprecedented actions taken thus far by the Administration – should concern all Americans. Using the power of government to target perceived political opponents is wrong and undermines the freedoms we all enjoy.

Resources

- Presidential Memorandum, [Countering Domestic Terrorism and Organized Political Violence](#), *The White House*, Sept. 25, 2025.
- Executive Order, [Designating Antifa As a Domestic Terrorist Organization](#), *The White House*, Sept. 22, 2025.
- [Justice Dept. Official Pushes Prosecutors to Investigate George Soros's Foundation](#), Devlin Barrett, *New York Times*, Sept. 25, 2025.
- Press Statement, [Reported Trump Administration Criminal Investigations Targeting Nonprofits](#), *National Council of Nonprofits*, Sept. 26, 2025.
- Press Statement, [Condemning Escalating Dangerous Rhetoric Against Nonprofits](#), *National Council of Nonprofits*, Sept. 17, 2025.

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Nonprofits, Cities, and Workers Unite to Stop Assault on Public Service Loan Forgiveness

The National Council of Nonprofits, joined by a coalition of cities, labor unions, and civil society organizations, filed suit challenging the Department of Education's unlawful and unconstitutional rule that politicizes Public Service Loan Forgiveness (PSLF) and threatens millions of public servants.

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Nonprofits Mobilize to Protect Public Service Loan Forgiveness

On Aug. 18, the U.S. Department of Education proposed a new rule to unlawfully limit which charitable nonprofits qualify as employees under PSLF. When the proposal dropped, NCN moved quickly help individuals and organizations submit public comments in opposition to the proposed rule.

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