



Military Personnel and Extremism: Law, Policy, and Considerations for Congress

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While concern about the confluence of Islamist extremist movements and U.S. military personnel rose following the 2009 [attack by an Army officer at Fort Hood, Texas](#), recent events have raised concerns about the potential for violence from other domestic extremist groups. In February 2019, a [Coast Guard lieutenant](#) stationed in Washington, DC, was detained on evidence that he was stockpiling weapons and planning attacks on several high-profile individuals and organizations. [Court documents](#) indicated that this individual had sought and espoused white supremacist ideologies. Studies by [the Federal Bureau of Investigation](#) and [other federal agencies](#) have found evidence that some white supremacist extremist groups actively seek to recruit those with prior or current military experience for their knowledge and training in firearms, explosives, and tactics. The [FBI noted in a 2008 report](#) that some groups sought this experience “in preparation for an anticipated war against the federal government, Jews, and people of color.” In some instances, [senior military leaders](#) have condemned racial hatred, bigotry, and extremism in any form.

While data on the prevalence of white supremacist ideology or activity in the military are limited, existing reports have [raised questions](#) about the actual extent of participation among military personnel in white supremacist movements. In addition, some [servicemembers](#) and [civil rights groups](#) are concerned about whether participation poses internal threats to the safety of military personnel and/or larger threats to national security, and whether Department of Defense (DOD) policies and processes are adequate to predict, prevent, and respond to radicalization in the ranks.

Military Equal Opportunity Policies

In general, [white supremacy ideology](#) asserts that the white race is superior to others—with particular animus directed toward Jews and African Americans. While DOD policy allows for personal expression, supremacist ideology is antithetical to [DOD’s military equal opportunity \(MEO\) policy](#), which stipulates,

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“the right of all Service members to serve, advance, and be evaluated based on only individual merit, fitness, capability, and performance in an environment free from harassment, including sexual harassment, and unlawful discrimination on the basis of race, color, national origin, religion, sex (including gender identity), or sexual orientation.”

Harassment or discrimination toward a member of these protected categories may be subject to command investigation and punitive actions. A formal MEO complaint from a servicemember would typically initiate such actions. There are also [military whistleblower protections](#) (10 U.S.C. §1034) and processes in place for servicemember communication with the DOD Inspector General (DODIG) or a Member of Congress.

Individual MEO violations are not necessarily predictors or even indicators of espoused extremist ideology. However, experts believe that a command climate that supports awareness and early intervention may provide opportunities to identify early signs of recruitment, radicalization, or participation in prohibited activities.

DOD Prohibitions on Participation in Extremist Activities

While white supremacist ideologies in particular have been tied to recent high-profile [domestic](#) and [overseas](#) attacks, military law and policy prohibit servicemembers from membership or participation in a more broadly defined set of organizations and activities both on- and off-duty. Following the 2009 [Fort Hood attack mentioned above](#), DOD reviewed and revised its policies on prohibited activities, [workplace violence](#), and [insider threats](#). Current policy for *Handling Dissident and Protest Activities among Members of the Armed Forces* prohibits members from actively advocating for or participating in organizations that advocate for “supremacist, extremist, or criminal gang doctrine, ideology, or causes, including those that advance, encourage, or advocate illegal discrimination based on race, creed, color, sex, religion, ethnicity, or national origin or those that advance, encourage, or advocate the use of force, violence, or criminal activity or otherwise advance efforts to deprive individuals of their civil rights.”

Active participation includes, for example, recruiting; distributing material (including posting online); knowingly wearing gang colors or clothing; or having tattoos or body markings associated with such gangs or organizations.

DOD places the responsibility on military commanders to identify, investigate, and intervene when they see signs that their troops may be actively associating with extremist ideologies or groups. Commanders are also encouraged to refer suspicious activity to the relevant Military Criminal Investigative Organization (MCIO). Commanders may take administrative and punitive actions, and offenders may be subject to court-martial conviction and detention under the Uniform Code of Military Justice (Chapter 47 of Title 10, United States Code) under various articles (e.g., Article 92—*Failure to obey an order or regulation*, among others listed in [DODI 1325.06](#)).

Considerations for Congress

While DOD has several policies in place outlining restrictions on certain activities and prevention of workplace discrimination and violence, some believe there is an opportunity for further study on the prevalence of white supremacy ideology among the troops, and the extent to which DOD and the military services are effectively implementing these policies. In its oversight role, Congress might consider these categories of actions and inquiries:

Data collection and reporting:

- Does DOD conduct any prevalence surveys or incident data collection on violations of existing policies related to white supremacy or other forms of extremism, and is this information publicly available?
- Is there a standard process for reporting, analyzing, and sharing data across DOD components and other relevant federal agencies (e.g., Departments of Justice and Homeland Security) or crime databases?

Screening and monitoring:

- Are the accession, commissioning, and background check processes sufficient to identify those with prior membership in extremist groups or those who espouse ideologies inconsistent with DOD policies?
- Are there procedures for documenting problematic behaviors and associated disciplinary actions that allow for coordination when a servicemember moves from one duty station to another, and are these procedures consistent with individual privacy protections in law and policy?
- Do screening and monitoring processes protect individual rights?

Training and awareness:

- Do commanders responsible for identifying and responding to prohibited activities and harassment have the training to recognize behaviors (social media or chat groups activity), indicators (e.g., symbols or paraphernalia), or other risk factors associated with supremacist ideology, participation in extremist groups, and workplace violence?
- Are servicemembers provided with training on MEO violations, prohibited activities, and threat identification and reporting procedures?
- Are servicemembers/whistleblowers who report noncompliant activity protected from retaliation?

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