

CRS Insights

Domestic Terrorism Appears to Be Reemerging as a Priority at the Department of Justice

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In June 2014, the Department of Justice (DOJ) announced the *reestablishment* of its [Domestic Terrorism Executive Committee](#), which had been defunct for several years. The committee includes DOJ leaders and is "co-chaired by a member of the U.S. Attorney community, the [DOJ] National Security Division, and the FBI [Federal Bureau of Investigation]." It is designed to "coordinate closely with U.S. Attorneys and other key public safety officials across the country to promote information-sharing and ensure an effective, responsive, and organized joint effort." The reestablishment suggests that officials are raising the profile of domestic terrorism as an issue within DOJ after more than a decade of heightened focus on both foreign terrorist organizations and [homegrown individuals](#) inspired by violent jihadist groups based abroad. The amplification of this issue by DOJ may be of interest to congressional policy makers.

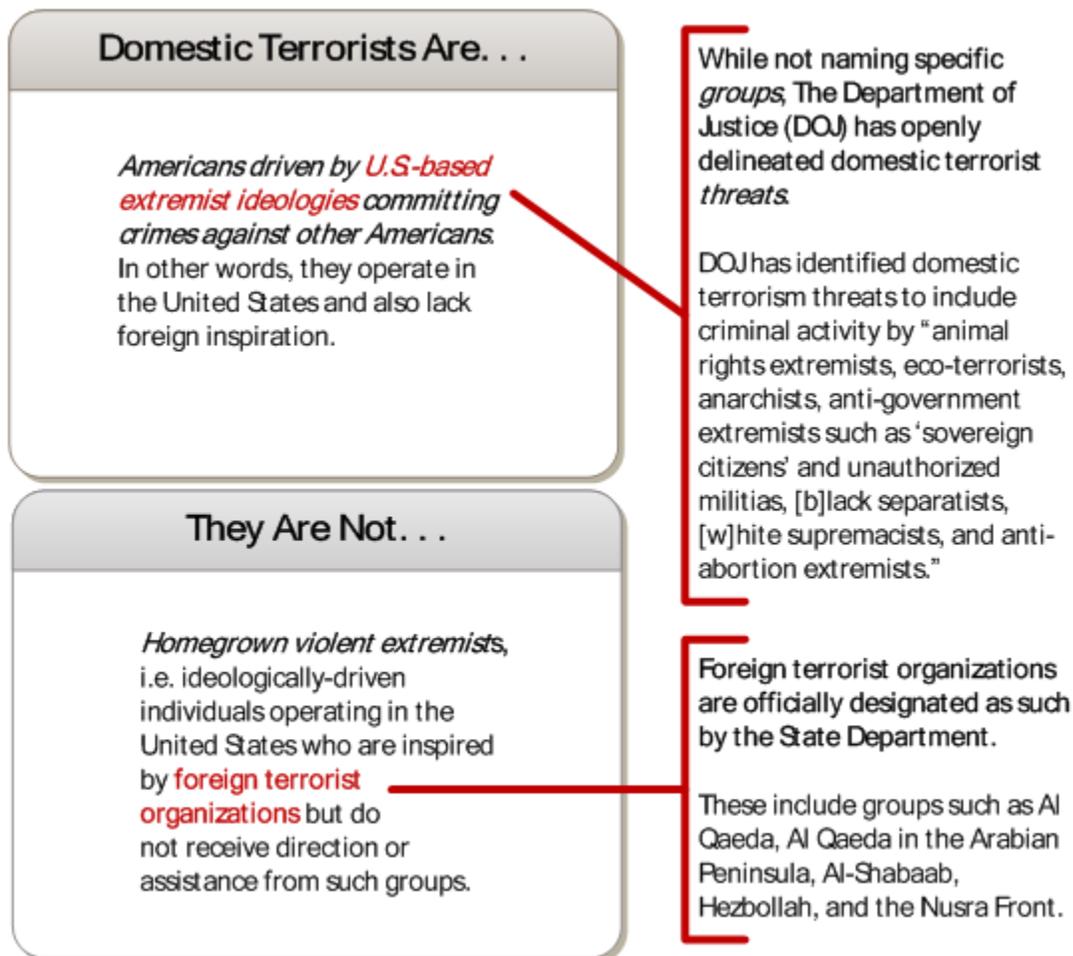
Framing the Threat

Domestic terrorists are a widely divergent lot, drawing from many philosophies and worldviews to justify their illegal acts. They can be motivated to commit crimes in the name of ideas such as animal rights, white supremacy, anti-government beliefs, and opposition to abortion, for example. Importantly, the expression of these worldviews—minus the commission of crimes—involves constitutionally protected activity. As such, individuals and movements openly and *legally* espousing such beliefs distance themselves from terrorists who use the ideas to justify their own criminal actions.

From the perspective of federal law enforcement, the FBI safeguards against cases focused [solely on constitutionally protected activities](#). All FBI investigations have to be conducted for an authorized national security, criminal, or foreign intelligence collection purpose. Investigations may not solely monitor the exercise of First Amendment rights. DOJ and the FBI

visualize domestic terrorism in terms of threats, not named or designated groups or actors (see [Figure 1](#)).

Figure 1. Who Are Domestic Terrorists?



Source: CRS graphic derived from information in Department of Justice, *Counterterrorism White Paper*, June 22, 2006, p. 59; Federal Bureau of Investigation, "Domestic Terrorism in the Post-9/11 Era," September 7, 2009; Department of Homeland Security and Federal Bureau of Investigation, Joint Intelligence Bulletin, "Use of Small Arms: Examining Lone Shooters and Small-Unit Tactics," August 16, 2011, p. 3.

Why Now?

The original committee was created after Timothy McVeigh triggered a bomb at the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995, killing 168 people and injuring more than 500 others. The committee stopped meeting after the terrorist attacks on September 11, 2001, as DOJ refocused its attention on Al Qaeda and other foreign terrorist threats. It is unclear exactly what prompted the reestablishment of the coordinating body in June.

While there is no publicly available list of domestic terrorist incidents (foiled plots or attacks) kept by the U.S. government, making it especially challenging for anyone trying to develop a sense of this particularly diverse threat, one source suggests that domestic terrorism features prominently among the concerns of state, local, and tribal (SLT) police. The threat posed by [sovereign citizen extremists](#) was the top counterterrorism concern voiced by SLT police in a [2013-2014 survey](#), displacing "Islamic extremists/jihadists," the top concern highlighted in a similar study conducted seven years earlier.

Sovereign Citizens

The [FBI defines](#) the sovereign citizen movement as "anti-government extremists who believe that even though they physically reside in this country, they are separate or 'sovereign' from the United States. As a result, they do not accept any government authority, including courts, taxing entities, motor vehicle departments, or law enforcement." However, simply holding these views is not a criminal act, and some movement adherents solely exercise their beliefs via constitutionally protected activities.

For the most part, the sovereign citizen movement is diffuse and includes few organized groups. The [FBI suggests](#) that sovereigns "operate as individuals without established leadership and only come together in loosely affiliated groups to train, help each other with paperwork [critical to some of their schemes], or socialize and talk about their ideology." The movement involves leaders who proselytize, often via in-person seminars. Such leaders encourage followers to believe in a conspiracy theory in which the legitimate federal government has been replaced by a government designed to take away the rights of ordinary citizens. By ignoring all sorts of laws, avoiding taxes, disregarding permit requirements, and destroying government-issued identification documents, some sovereign citizens have tried to cut formal ties with what they perceive as an illegitimate regime. Other sovereigns have [filed court documents](#) stating that they are not U.S. citizens. They have also created bogus financial documents to harass or defraud their enemies. Sovereign citizens have in some instances created fictitious entities and used fake currency, passports, license plates, and driver licenses.

In a few recent cases, avowed sovereign citizens have been involved in violent altercations with law enforcement officers. One of the more publicized [attacks occurred in May 2010](#). Two self-professed sovereign citizens were involved in a violent confrontation with West Memphis, TN, police officers. During a traffic stop, Joe Kane fired an AK-47 rifle and killed two officers. Kane and his father, Jerry, fled the scene. Law enforcement sighted their vehicle in a nearby parking lot 90 minutes later. The duo died in the [ensuing shootout](#), which also wounded two more officers. The FBI [had investigated](#) Jerry Kane for several years before the murders, reportedly

suspecting his involvement in fraudulent financial schemes, but he was not charged as a result of the FBI's investigation.