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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

April 19, 2021

The Honorable Charles E. Grassley
Ranking Member
U.S. Senate Committee on the Judiciary

The Honorable Tom Cotton
Ranking Member
U.S. Senate Judiciary Subcommittee on Criminal Justice and Counterterrorism

Dear Ranking Member Grassley and Ranking Member Cotton:

We received your recent letter requesting that either the Judiciary Committee or Criminal Justice and Counterterrorism Subcommittee hold a hearing to address hate crimes and discrimination against the Asian American and Pacific Islander (AAPI) community.

As you know, we have been sounding the alarm about the growing threat of hate crimes and domestic terrorism for years, including the particular threat targeting AAPI Americans and other minority communities. For example, Chair Durbin held a 2012 hearing in the Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights on hate crimes and domestic extremism following the horrific massacre of six worshippers at a Sikh gurdwara in Oak Creek, Wisconsin, perpetrated by a white supremacist. After the hearing, he led the effort to update the Federal Bureau of Investigation's (FBI) Hate Crime Incident Report form to include bias crimes committed against Sikh Americans, Hindu Americans, and Arab Americans.

In 2019, we sent joint letters to then-Attorney General Barr and FBI Director Wray inquiring about Justice Department and FBI efforts to combat white supremacist violence. We have also introduced and cosponsored critical legislation to address this threat, including Chair Durbin's Domestic Terrorism Prevention Act, Senator Blumenthal's Jabara-Heyer NO HATE Act, and Senator Hirono and Senator Duckworth's COVID-19 Hate Crimes Act, the bill referenced in your letter. Additionally, last month, Chair Durbin held the first oversight hearing of the FBI since July 2019, which focused on the Bureau's response to the rise of domestic terrorism, including recent violent racist attacks against communities of color and religious minorities.

We note that you sent your letter only after Majority Leader Schumer filed cloture on Senator Hirono and Senator Duckworth's bill. While we are committed to the Committee's continued fact-finding work on the appalling rise in hate crimes and extremist violence against AAPI Americans, there is already an ample record that justifies floor action on the COVID-19 Hate Crimes Act, and we will not support efforts to delay or derail its floor consideration.

Unfortunately, under Republican leadership during the entirety of the Trump Administration, the Judiciary Committee failed to hold hearings to address these very issues. Notably, your letter comes amidst an unfortunate record of silence by Senate Republicans in response to inflammatory rhetoric by President Trump and other Republican leaders that has fomented violence against the AAPI community.

We do appreciate your newfound interest in addressing anti-Asian hate crimes, and we look forward to working with you on legislation and oversight that responds to these vile attacks against the AAPI community. That work should include passing the COVID-19 Hate Crimes Act without delay.

Sincerely,



Richard J. Durbin
Chair

U.S. Senate Committee on the Judiciary



Cory A. Booker
Chair

U.S. Senate Judiciary Subcommittee on
Criminal Justice and Counterterrorism