

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Fifteenth Congress

August 23, 2017

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn Building
Washington, D.C. 20515

Dear Chairman Goodlatte:

In the wake of the tragic events in Charlottesville and ensuing developments – including President Trump’s angry remarks in Phoenix last evening – we believe it is imperative that the House Judiciary Committee hold hearings, and consider appropriate resolutions and legislative responses. In our view this should include, at a minimum, formal condemnation of the right-wing extremists responsible for these events, and the censure of President Donald J. Trump for his shocking and divisive response.

To briefly recount, on August 11 the Nation witnessed an evening torch rally led by neo-Nazis, white supremacists and KKK members, punctuated by chants of “Jews will not replace us.” This was followed the next day by a rally held by these same extremist groups – which included the open and intimidating display of firearms, swastikas, and other flags and symbols associated with racial hatred and white supremacy – culminating in the killing of Heather Heyer, a counter-protestor, and the accidental deaths of Lt. H. Jay Cullen and Trooper-Pilot Berke M. M. Bates of the Virginia State Police.

The President not only failed to immediately and unambiguously denounce the right-wing groups responsible for these events, he drew an unfathomable moral equivalency between these far-right extremists and the individuals protesting their hateful views. The widespread controversy over the President’s actions has led to a wave of bipartisan criticism as well as the dissolution of the President’s Strategy and Policy Forum; Manufacturing Council; Council on Arts and Humanities; and the scrapping of the President’s planned infrastructure advisory council. On Monday, Speaker Ryan publicly stated that he felt the President’s remarks last Tuesday were merely “morally ambiguous” and “believed that [Trump] messed up in his comments [last] Tuesday,” while again failing to articulate his support for any response by Congress as a body. Last evening, President Trump sought to blame the media for his own series of divisive remarks and attempted to restate and reinterpret his own prior remarks by omitting the very portions which drew a moral equivalency between the right wing extremists and the counter protesters.

While we were heartened by your condemnation of the Charlottesville attack, we also strongly believe the House Judiciary Committee has a vitally important and ongoing role with regard to these issues. As the House Committee charged with jurisdiction over civil rights, freedom of speech, hate crimes, domestic terrorism, firearms safety, and other constitutional matters, we have both a legislative and moral responsibility to respond. Indeed, we believe any failure by the Congress to respond to acts so reprehensible would constitute an abdication of the Committee's responsibilities, and would only further embolden the white supremacists and other extremists.

The House Judiciary Committee has a long history of bipartisan collaboration during times of national tragedy. For example, our Committee came together to respond to the rash of African-American church burnings in 1995;¹ the brutal and biased killings of James Byrd and Matthew Shepard in 1998;² the racist displays of hatred and violence perpetrated against Arab-Americans, American Muslims, and Americans from South Asia in the wake of the 9/11 attacks³; the wave of shootings directed against judges and court officials during the mid-2000's;⁴ and most recently, the untethered and unconstitutional expansion of surveillance powers.⁵

Several important measures responding to the events in Charlottesville have already been introduced and referred to our Committee – including H. Con. Res. 77, condemning the violence in Charlottesville, among other things, introduced by Rep. Jayapal on August 14; and H. Res. 496, censuring President Trump, introduced by Reps. Nadler, Watson Coleman, and Jayapal on August 17 – and additional measures may be introduced in the coming days.

We are certainly open to working with you and others in the Majority to formulate appropriate hearings and crafting measures responsive to these tragic events. However, we are unanimous in our conviction that failing to act is not an option.

Beyond our immediate response to the events of Charlottesville, we also hope to work with you and others on a bipartisan basis throughout the remainder of the Congress on a range of legislative measures that will show the Nation we are capable of working together on critical justice and social policies. These include criminal justice reform, policing, and voting rights.

Given recent events, we firmly believe we stand at a crossroads in terms of our Nation's ability to work together constructively on healing the deep scars of racial division and inequality. As a result, our collective responses will serve as a test of our leadership and ability to unite the country at a time of critical need.

¹ Church Arson Prevention Act of 1996, 18 U.S.C. § 247 (2012); Expressing the sense of Congress with respect to recent church burnings, H. Con. Res. 187, 104th Cong. (1996).

² Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009, 18 U.S.C. § 249 (2012); Condemning the brutal killing of Mr. James Byrd, Jr., H. Res. 466, 105th Cong. (1998).

³ Condemning bigotry and violence against Arab-Americans, American Muslims, and Americans from South Asia in the wake of terrorist attacks in New York City, New York, and Washington, D.C., on September 11, 2001, H. Con. Res. 227, 107th Cong. (2001).

⁴ Court Security Improvement Act of 2007, Pub. L. No. 110-177, 121 Stat. 2534 (2008).

⁵ USA FREEDOM Act of 2015, Pub. L. No. 114-23, 129 Stat. 268 (2015).

We stand ready, willing, and able to work with you and the other Members of the Committee at the very earliest opportunity, including commencing work during the Congressional recess.

Sincerely,

John Conyers Jr.

Henry Jones

George H. Rader

Art Duntch

Mike J. ...

Shirley Gucken... Lee

Dr. V. ...

Tom Swabwell

Jamie Raekin

David N. Cicilline

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