

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

August 8, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20535

Dear Attorney General Barr and Director Wray:

On May 2, 2019, we sent you a letter, also signed by Senators Sheldon Whitehouse (D-RI), Amy Klobuchar (D-MN), Christopher Coons (D-DE), Richard Blumenthal (D-CT), and Kamala Harris (D-CA), asking what the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) are doing to combat white supremacist violence and expressing our concern that you are minimizing this growing domestic terrorism threat. More than three months later, we are still waiting for a response.

Our nation is in mourning after yet another devastating incident of domestic terrorism allegedly committed by a white man motivated by racist and anti-immigrant hatred. It is clear that violent white supremacists are the most significant domestic terrorism threat facing our nation today. And, yet, Mr. Attorney General, as far as we can tell, you have not uttered a single word in public about this grave threat to American security since you became our nation's top law enforcement officer.

Moreover, the Trump Administration has made the inexplicable and irresponsible decision to stop tracking white supremacist incidents as a separate category of domestic terrorism. The Administration created a new category for "racially-motivated violent extremism," which inappropriately combines incidents involving white supremacists and so-called "Black identity extremists," a fabricated category that has been widely criticized by law enforcement experts.

Given the large number of white supremacist attacks, it is clear that this reclassification downplays the significance of this threat. Indeed, Director Wray admitted to Senator Durbin just three weeks ago that the majority of domestic terrorism arrests this year involved white supremacists. Senator Booker questioned Director Wray regarding the number of violent attacks and fatalities attributed to white supremacists in the past two years, however, he did not provide precise numbers due to the Administration's decision to stop specifically tracking white supremacist attacks. If we do not know the scope of this problem, how can we hope to effectively combat it?

You also have not responded to multiple inquiries asking what Congress can do to help your agencies more effectively combat white supremacist violence. We specifically asked you for your views on our Domestic Terrorism Prevention Act, the only legislation pending in the Senate to address the white supremacist threat. This bill would establish permanent offices to combat domestic terrorism at DOJ, the FBI, and the Department of Homeland Security. The bill also requires federal law enforcement to regularly assess domestic terrorism threats, focus limited resources on the most significant threats, and provide training and resources to assist state, local, and tribal law enforcement in addressing these threats. This would produce a sustained and coordinated effort with significantly more resources directed towards combatting white supremacist violence.

After the horrific September 11th terrorist attacks, your agencies shifted focus from investigating and prosecuting international terrorism attacks after the fact to disrupting and preventing attacks before they took place. The American people expect you to attack white supremacist terrorism with the same dogged and single-minded approach. It is imperative that you immediately take the initiative in leading a coordinated nationwide effort by federal, state, and local law enforcement and intelligence to disrupt and prevent white supremacist attacks before they take place. The victims of El Paso, Chabad of Poway synagogue, Mother Emanuel Church, the Oak Creek Sikh Temple, the Tree of Life Synagogue and many other white supremacist attacks deserve no less.


Please respond immediately to the following questions that we posed to you more than three months ago:

1.
 - a. What specific steps, if any, have you ordered DOJ and the FBI to take to respond to the threat of white supremacist violence?
 - b. How are DOJ and the FBI currently allocating counterterrorism resources to address this threat?
2.
 - a. How do you justify the change in tracking domestic terrorism incidents?
 - b. Will you rescind this change and return to the long-standing practice of tracking white supremacist violence as a separate category of domestic terrorism incidents?
3. Will you take this opportunity to endorse the Domestic Terrorism Prevention Act?
4. After the New Zealand mosque massacre, President Trump was asked whether he thought white nationalism was a growing threat. He responded: "I don't, really ... I think it's a small group of people that have very, very serious problems, I guess." Do you agree with the President's remarks?

We look forward to your prompt response.

Sincerely,


RICHARD J. DURBIN
United States Senator


CORY A. BOOKER
United States Senator