

ROBERT MENENDEZ
NEW JERSEY

COMMITTEES:
BANKING, HOUSING, AND URBAN
AFFAIRS
BUDGET
ENERGY AND NATURAL RESOURCES
FOREIGN RELATIONS

United States Senate

WASHINGTON, DC 20510-3004

502 SENATE HART OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4744

ONE GATEWAY CENTER
11TH FLOOR
NEWARK, NJ 07102
(973) 645-3030

208 WHITE HORSE PIKE
SUITE 18-19
BARRINGTON, NJ 08007
(856) 757-5353

December 5, 2007

The Honorable Carlos M. Gutierrez
Secretary
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Gutierrez:

I am writing to bring your attention to the use of electronic communications and broadcast media to encourage acts of hate crimes or to spread messages of hate. Over the past year, the debate over immigration reform has unfortunately taken a very biased and hateful turn in some of our radio, television, and cable outlets, and I am concerned that this rhetoric could have a harmful effect on the portrayal and safety of our nation's immigrant population, as well as our Latino communities. For this reason, I ask that the Department of Commerce commission a report on the relationship between telecommunications and hate crimes.

In 1992, Congress directed the National Telecommunications and Information Administration to study the use of telecommunications (including broadcast radio and television) to advocate or encourage violent acts and the committing of crimes of hate against groups of people. This study, published in 1993, took into account not only messages threatening unlawful action, but also situations in which the speaker intended to create a climate of hate or prejudice. Given that more than 10 years have elapsed since Commerce has examined this issue, I ask that you update this report.

The time has never been more critical to revisit this issue. Day after day, we hear this rhetoric—“the Latino invasion”, “illegal alien lobby”, “amnesty agenda”, “criminal illegal aliens, and “socio-ethnocentric interest groups” in our nation's television, radio and internet outlets. Furthermore, commentators from a popular radio show in my home state of New Jersey began a campaign earlier this year to encourage listeners to report undocumented immigrants called “Operation Rat a Rat – La Cucha Gotcha.” The show played off the Spanish word for cockroach (cucaracha) and used that word to refer to undocumented immigrants, while also regularly mocking Hispanics by playing songs such as La Bamba as part of their on-air stunts, and mocking Asian Americans with sing-song Chinese accents.

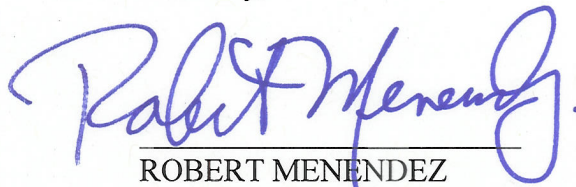
I am certain New Jersey is not the only state that has experienced such hateful rhetoric over its airwaves. In fact, this seems to be a growing problem all over our country, in our radio, television, cable, internet and print media. Such language puts our nation constantly on edge, by fostering hostility among neighbors, and tearing apart the unity we

all share as Americans, and I am concerned about the impact rhetoric like this could have on increasing hate and hate-related crimes against our nation's immigrants, our Latino communities, and other groups targeted by hate rhetoric.

Therefore, I respectfully request the Department of Commerce to update its 1993 report on the relationship between telecommunications and hate crimes. As it is the responsibility of our nation's government to protect free speech and address bias-related crimes, the need for such a study is critical.

This is an issue that I and my fellow colleagues in the Senate will continue to closely monitor. I look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a prominent "R" and "M".

ROBERT MENENDEZ
United States Senator