



February 11, 2020

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Vanita Gupta

Dear Member of the Committee on the Judiciary:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 220 national civil and human rights advocacy organizations, I write to express our strong support for H.R. 2214, the National Origin-Based Antidiscrimination for Nonimmigrants Act (the “NO BAN Act”). The NO BAN Act would overturn the discriminatory Muslim Ban instituted by the Trump administration in 2017, as well as the recently-announced expansion of the policy to ban immigrants from additional countries.

While the Trump administration may wrap its policy in a cloak of national security, its true motives are clear. Early on in his presidential campaign, then-candidate Donald Trump called for a “total and complete shutdown of Muslims entering the United States.”¹ While his proposal was widely condemned at the time, including by several other presidential candidates in his own party, a version of his Muslim Ban was first announced shortly after he took office and finalized in 2018. President Trump’s discriminatory intent remained clear in early 2018, when during a meeting with a bipartisan group of senators, he asked why the United States allows immigrants from “shithole countries,” referring to Haiti and African nations.²

The effects of the Muslim Ban have also been clear. The true intent of the policy may be discriminatory, but its reach is truly indiscriminate and goes well beyond what is necessary to protect national security. The number of people affected by the Muslim Ban is estimated to be more than 135 million and applies regardless of whether such individuals have been found to pose a threat to the United States or its interests. A bare 5-4 majority of the Supreme Court may find such a sweeping, discriminatory, overly-broad policy to be permissible. The House of Representatives, however, must not.

The NO BAN Act would bring our nation more in line with our longstanding principles. It would repeal each version of the Trump administration’s Muslim Ban, Refugee Ban, and Asylum Ban, as well as the administration’s 2020 expansion to the people of six additional countries. To prevent the Trump administration – or any future administration – from adopting similar policies in the future, the bill would explicitly prohibit discrimination on the basis of religion under the Immigration and Nationality Act, and it would require that any future administrative ban on classes of

¹ Johnson, Jenna, “Trump calls for ‘total and complete shutdown of Muslims entering the United States,’” *The Washington Post*, Dec. 7, 2015.

² Ali Vitali, Kasie Hunt and Frank Thorp V, “Trump referred to Haiti and African nations as ‘shithole countries,’” *NBC News*, Jan. 11, 2018, at <https://nbcnews.to/2usxO2e>.



immigrants be narrowly tailored to address a compelling government interest using the least restrictive means possible. Furthermore, it would ensure that classes of immigrants who are harmed by blanket exclusions can challenge discriminatory actions in court.

The NO BAN Act represents a long-overdue statement of our national values. The Leadership Conference urges you to support it in this week's markup, and as it heads to the House floor in the coming months. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanita Gupta". The signature is fluid and cursive, with a prominent loop at the end.

Vanita Gupta
President & CEO