

October 1, 2019

The Honorable Zoe Lofgren
Chair
Judiciary Subcommittee on Immigration
and Citizenship
U.S. House of Representatives

The Honorable Ken Buck
Ranking Member
Judiciary Subcommittee on Immigration
and Citizenship
U.S. House of Representatives

The Honorable Ami Bera
Chair
Foreign Affairs Subcommittee on Oversight
and Investigations
U.S. House of Representatives

The Honorable Lee Zeldin
Ranking Member
Foreign Affairs Subcommittee on Oversight
and Investigations
U.S. House of Representatives

Dear Honorable Members of Congress:

We are former national security, foreign policy, intelligence, and other public officials who have worked on security matters at the senior-most levels of the U.S. government. A number of us previously signed an amicus brief to the U.S. Supreme Court expressing our concerns about the national security and foreign policy issues raised by President Trump's orders imposing nationality-based bans on almost exclusively Muslim-majority countries (collectively "the Muslim ban" or "the Bans"). Given the critical importance of the issues to be considered at the forthcoming joint hearing of the House Judiciary Subcommittee on Immigration and Citizenship and the House Foreign Affairs Subcommittee on Oversight and Investigations, we ask to share these views with you in summary form.

We have held the highest security clearances, and collectively devoted our careers to combatting the various threats that the United States faces in an increasingly dangerous and dynamic world. Many of us were current on active intelligence regarding credible terrorist threat streams directed against the United States at the time of, or even after, the issuance of the original Muslim Ban. We believe that the U.S. government must gather all credible evidence to thwart terrorist and other security threats before they ripen. Through the years, we have worked individually and collectively to develop national security policies that have responded to specific, credible threats based on individualized information; have rested on the best available intelligence; and have been subject to thorough interagency review. The Bans do not rest on such carefully tailored grounds, but rather are overbroad, blanket entry prohibitions based on national origin; are not supported by any intelligence that the administration has cited or of which we are aware; and did not emerge from a careful interagency policy and legal review involving the considered judgment of national security and foreign policy officials.

The Trump administration has been unable to articulate a credible national security or foreign policy need for these blanket, national-origin based bans on travel. The administration's rationale for the bans has shifted with each new order, and its own agencies have acknowledged an absence of support for multiple claims the administration has made in defense of the Bans. We are aware of no specific threat or deficiencies in the nation's visa vetting system that justified the sweeping, country-wide suspensions of travel to the United States prescribed here. And, the Bans target countries whose nationals have committed no deadly terrorist attacks on U.S. soil in modern history.

In our experience, these Bans not only have failed to advance our national security or foreign policy interests, but have seriously damaged those interests in multiple ways. The Bans have disrupted key counterterrorism, foreign policy, and national security partnerships that are critical to addressing the threat posed by terrorist groups. The Bans breached trust with human intelligence sources in the field, who have put themselves at great risk to keep Americans safe—and whom our officers pledged to protect. Because of their clear disparate impact on Muslim travelers and immigrants, the Bans have fed the recruitment narrative of extremists who portray the United States as engaging in a war on Islam. The Bans have had a devastating humanitarian impact on men, women and children throughout the world, tearing families apart and preventing vulnerable individuals from seeking life-saving refuge in the United States, and they have disrupted ongoing diplomatic efforts with affected countries. And the Bans have caused harm to the economic dynamism of our country in ways that carry long-term negative consequences for strategic economic sectors, including defense, technology and medicine.

From the beginning, these have always been Bans in search of a threat, not vice versa. Congress should not allow the administration to cloak discrimination in a thin veil of national security. Blanket bans of certain countries are beneath the dignity of the Nation and Constitution that we each took oaths to protect.

We would welcome Congressional action to address the many national security and foreign policy harms of this damaging policy.

Sincerely,

Madeleine K. Albright
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U.S. Permanent Representative to the United Nations (1993 to 1997)

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