

President-elect Joe Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

[VIA EMAIL]

December 18, 2020

Dear President-elect Biden:

The No Muslim Ban Ever Campaign, the Value Our Families campaign and the undersigned national, state and local organizations, write to thank you for your commitment to rescind every iteration of the Muslim Ban,¹ including the African Ban² on day one of the Biden administration and to urge you to also expeditiously rescind related bans and Executive Orders that create additional barriers for people from the banned countries from being able to fully access visa and green cards. Specifically, this includes rescinding, the Asylum Ban,³ the Refugee Bans,⁴ the Health Care Proclamation,⁵ the Presidential Memorandum Enforcing Legal Responsibilities of Sponsors

¹ President Donald J. Trump, “Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States,” Executive Order 13769, January 27, 2017

<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states/>;

President Donald J. Trump, “Executive Order Protecting the Nation From Foreign Terrorist Entry Into The United States,” Executive Order 13780, March 6, 2017

<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states-2/>;

President Donald J. Trump, “Presidential Proclamation Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats,” Presidential Proclamation 9645, September 24, 2017

<https://www.whitehouse.gov/presidential-actions/presidential-proclamation-enhancing-vetting-capabilities-processes-detecting-attempted-entry-united-states-terrorists-public-safety-threats/>;

President Donald J. Trump, “Proclamation on Improving Enhanced Vetting Capabilities and Processes for Detecting Attempted Entry,”

Presidential Proclamation 9983, January 31, 2020

<https://www.whitehouse.gov/presidential-actions/proclamation-improving-enhanced-vetting-capabilities-processes-detecting-attempted-entry/>

² President Donald J. Trump, “Proclamation on Improving Enhanced Vetting Capabilities and Processes for Detecting Attempted Entry,”

Presidential Proclamation 9983, January 31, 2020

<https://www.whitehouse.gov/presidential-actions/proclamation-improving-enhanced-vetting-capabilities-processes-detecting-attempted-entry/>

³ President Donald J. Trump, “Presidential Proclamation Addressing Mass Migration Through the Southern Border of the United States,”

Presidential Proclamation 9822, November 9, 2018

<https://www.whitehouse.gov/presidential-actions/presidential-proclamation-addressing-mass-migration-southern-border-united-states/>

⁴ President Donald J. Trump, “Presidential Executive Order on Resuming the United States Refugee Admissions Program with Enhanced Vetting Capabilities,” Executive Order 13815, October 24, 2017

<https://www.whitehouse.gov/presidential-actions/presidential-executive-order-resuming-united-states-refugee-admissions-program-enhanced-vetting-capabilities/>;

President Donald J. Trump, “Executive Order on Enhancing State and Local Involvement in Refugee Resettlement,”

Executive Order 13888, September 26, 2019

<https://www.whitehouse.gov/presidential-actions/executive-order-enhancing-state-local-involvement-refugee-resettlement/>

⁵ President Donald J. Trump, “Presidential Proclamation on the Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System,” Presidential Proclamation 9945, October 4, 2019 <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-suspension-entry-immigrants-will-financially-burden-united-states-healthcare-system/>

of Aliens,⁶ and any expansion of the Immigration Ban⁷ and restart our immigration and refugee system by processing visas expeditiously and safely and increasing the refugee admissions goal. Since the COVID-19 pandemic took hold of the nation, the Trump administration has issued numerous COVID-related bans using INA 212(f) authority yet again. It is critical that the Biden administration ensure that every use of this authority related to COVID-19 is firmly rooted in science and public health. While we recognize that it will take time to undo all of the Trump Administration's racist and Islamophobic immigration policies, the Executive Orders, Presidential Proclamations and Memoranda may be undone expeditiously.

Since coming to power, this Trump administration has effectuated many parts of the white nationalist agenda, particularly in the area of immigration policy. The President's first act in office was to implement his campaign promise of a Muslim Ban. On January 27, 2017, President Trump issued the first of several versions of a Muslim and refugee bans,⁸ which prevented people from Muslim-majority countries and all refugees—who, in years before the ban, increasingly were Muslim—from entering the United States. As federal courts blocked each version of the ban, the administration revised it several times in superficial attempts to conceal its anti-Muslim intent.

Despite numerous decisions from lower courts blocking the ban, the U.S. Supreme Court, in a 5-4 ruling issued on June 26, 2018, ultimately allowed a version of the Muslim Ban⁹—one that blocks most people from the Muslim-majority countries of Iran, Libya, Somalia, Syria, and Yemen (as well as a smaller number from North Korea and certain government officials from Venezuela) from coming to the U.S. on immigrant or nonimmigrant visas—to remain in place indefinitely until Congress or another president repeals it. While the state and local resettlement veto executive order,¹⁰ which seeks to allow governors and localities to block resettlement in their states and communities, is currently blocked by a nationwide injunction, a ruling on its appeal is imminent.

Beyond the Muslim and refugee bans, the President set out to lower overall immigration levels and slash family-based immigration and the diversity visa program, particularly targeting Black immigrants, immigrants of color, and low-income immigrants. After Congress refused to slash

⁶ President Donald J. Trump, "Memorandum on Enforcing the Legal Responsibilities of Sponsors of Aliens," Presidential Memoranda, May 23, 2019, <https://www.whitehouse.gov/presidential-actions/memorandum-enforcing-legal-responsibilities-sponsors-aliens/>

⁷ President Donald J. Trump, "Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak," Presidential Proclamation 10014, April 22, 2020 <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/> and expansion and extension of this proclamation in Presidential Proclamation 10052, June 22, 2020 <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>

⁸ Executive Order 13769, January 27, 2017 <https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states/>;

⁹ Presidential Proclamation 9645, September 24, 2017 <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-enhancing-vetting-capabilities-processes-detecting-attempted-entry-united-states-terrorists-public-safety-threats/>

¹⁰ Executive Order 13888, September 26, 2019 <https://www.whitehouse.gov/presidential-actions/executive-order-enhancing-state-local-involvement-refugee-resettlement/>

these programs, the administration issued a series of policies that have chipped away at the number of green cards issued, particularly in the family-based, diversity, refugee, and asylum categories. President Trump also issued “the Presidential Proclamation on Addressing Mass Migration Through the Southern Border of the United States in November 2018”¹¹; “the Suspension of Entry to Immigrants Who Will Financially Burden the United States Healthcare System” on October 4, 2019;¹² and “the Presidential Memorandum on Enforcing the Legal Responsibilities of Sponsors of Aliens” on May 23, 2019,¹³ aiming to scare immigrants from sponsoring their family members.

After winning at the Supreme Court, the President expanded the Muslim Ban (referred to as the African Ban)¹⁴ that bans either all green cards or diversity visas for people from Nigeria, Sudan, Tanzania, Eritrea, Myanmar (Burma), and Kyrgyzstan, significantly reducing African immigration to the U.S.

The Trump Administration halted the issuance of most family-based immigrant visas and some employment-based visas for people outside the country on April 22, 2020, when President Trump signed Proclamation 10014 “Suspension of Entry of Immigrants Who Present a Risk to the United States Labor Market During the Economic Recovery Following the 2019 Novel Coronavirus Outbreak.”¹⁵ While that EO only applied to people applying for green cards outside the country, USCIS also slowed and temporarily paused adjustment applications. On June 22, the President extended and expanded “Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak,”¹⁶ under the pretext of helping the economy to include even more visa categories. While this proclamation is set to expire on December 31st, President Trump will likely extend it before leaving office, and therefore, we ask that it be included in the day one executive order repealing these bans.

On October 1st, 2020, we lost approximately 100,000 family-based visas and around [42,000 diversity visas](#) when the new fiscal year began. This loss has added to wait times and family-separation. We must not lose more immigrant visas in FY 2021.

¹¹ Presidential Proclamation 9822, November 9, 2018

<https://www.whitehouse.gov/presidential-actions/presidential-proclamation-addressing-mass-migration-southern-border-united-states/>

¹² Presidential Proclamation 9945, October 4, 2019

<https://www.whitehouse.gov/presidential-actions/presidential-proclamation-suspension-entry-immigrants-will-financially-burden-united-states-healthcare-system/>

¹³ Presidential Memoranda, May 23, 2019

<https://www.whitehouse.gov/presidential-actions/memorandum-enforcing-legal-responsibilities-sponsors-aliens/>

¹⁴ Presidential Proclamation 9983, January 31, 2020

<https://www.whitehouse.gov/presidential-actions/proclamation-improving-enhanced-vetting-capabilities-processes-detecting-attempted-entr/>

¹⁵ Presidential Proclamation 10014, April 22, 2020

<https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>

¹⁶ Presidential Proclamation 10052, June 22, 2020

<https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>

America is strongest when we embrace diversity. America's strength comes from our ability to knit together people from all backgrounds - races, ethnicities and faiths - into one nation. Our current family-based immigration system, humanitarian programs and diversity immigrant visa programs have successfully contributed to the rich, vibrant and multicultural U.S. communities that we see today. We respectfully urge you to restart immigration on day one by rescinding these executive orders and presidential proclamations, ordering agencies to resume visa processing, and immediately re-issuing the Presidential Determination for refugee admissions to 100,000 for the remainder of FY 2021. We look forward to working together to rebuild our immigration system.

Sincerely,

The Value Our Families Campaign
The No Muslim Ban Ever Campaign

ACCESS

Action Center on Race and the Economy

Adhikaar

African American Ministers In Action

African Communities Together

African Public Affairs Committee

Alianza Americas

Alianza Nacional de Campesinas

American Citizens for Justice/Asian American Center for Justice

American Civil Liberties Union

American Federation of Teachers (AFT)

American Muslim Empowerment Network

Anti-Defamation League

APIENC (API Equality - Northern California)

Apna Ghar, Inc.

Arab American Civic Council

Asian American Federation of Florida - South Region

Asian Americans Advancing Justice | AAJC

Asian Americans Advancing Justice - Asian Law Caucus

Asian Americans Advancing Justice-Atlanta

Asian Americans Advancing Justice | Chicago

Asian Americans Advancing Justice - Los Angeles

Asian Americans United

Asian Counseling and Referral Service

Asian Law Alliance

Asian Pacific American Labor Alliance, AFL-CIO

Asian Pacific American Legal Resource Center

Asian Pacific Community in Action
Asian Pacific Institute on Gender-Based Violence
Asian Services In Action (ASIA)
Austin Region Justice for Our Neighbors
AZ AANHPI for Equity
Baltimore Asian Resistance in Solidarity (BARS)
Bend the Arc: Jewish Action
Black Alliance for Just Immigration
Boat People SOS
Borderlands for Equity
Brennan Center for Justice at NYU School of Law
Bridges Faith Initiative
Burmese Rohingya Community of Wisconsin Inc.
Cambodian Mutual Assistance Association
CASA
Center for Constitutional Rights
Center for International Policy
Center for Law and Social Policy (CLASP)
Center for Popular Democracy
Center for Victims of Torture
CenterLink: The Community of LGBT Centers
Central Washington Justice For Our Neighbors
Chinese for Affirmative Action
Chinese-American Planning Council (CPC)
Church World Service
Coalition for Humane Immigrant Rights (CHIRLA)
Colorado Immigrant Rights Coalition
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Connecticut Shoreline Indivisible
Council on American-Islamic Relations (CAIR)
Council on American-Islamic Relations, Arizona (CAIR-AZ)
Council on American-Islamic Relations, California (CAIR-CA)
Council on American-Islamic Relations, Oklahoma (CAIR Oklahoma)
Council on American-Islamic Relations, Minnesota (CAIR-Minnesota)
Council on American-Islamic Relations, New York (CAIR-NY)
Council on American-Islamic Relations, Philadelphia (CAIR-Philadelphia)
Council on American-Islamic Relations, Washington State (CAIR-Washington State)
Defending Rights & Dissent
DRUM - Desis Rising Up & Moving
Eden Area Interfaith Council

Emgage Action
Empowering Pacific Islander Communities (EPIC)
Equality California
Esperanza Immigrant Rights Project
Farmworker Association of Florida
Florida Asian Services
Florida Asian Women Alliance
Food Empowerment Project
Franciscan Action Network
Friends Committee on National Legislation
HANA Center
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Allies of Marshalltown
Immigrant Defense Project
Immigrant Legal Resource Center
Immigration Hub
Indivisible
International Refugee Assistance Project
Islamic Foundation of South Florida (IFSF)
Islamophobia Studies Center
Japanese American Citizens League
Japanese American Citizens League, San Jose Chapter
Justice Action Center
Justice For Muslims Collective
Justice for Our Neighbors Michigan
Land of the Sky UCC
Lawyers for Good Government (L4GG)
Leadership Conference of Women Religious
League of Women Voters of the United States
Libyan American Alliance
Lutheran Immigration and Refugee Service
Maryknoll Office for Global Concerns
Montgomery Citizens United for Prosperity (MCUP)
MPower Change
MSA West
Multifaith Alliance for Syrian Refugees
Muslim American Society-National
Muslim Justice League
National Advocacy Center of the Sisters of the Good Shepherd
National Asian American Pacific Islander. Mental Health Association

National Asian Pacific American Women's Forum (NAPAWF)
National Council of Asian Pacific Americans
National Council of Churches
National Federation of Filipino American Associations
National Immigrant Justice Center
National Immigration Law Center
National Iranian American Council Action
National Justice for Our Neighbors
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant & Refugee Rights
National Religious Campaign Against Torture
Network of Myanmar American Association
Never Again Action
New Mexico Asian Family Center
New York Immigration Coalition
Northern Illinois Justice for Our Neighbors
OCA — Asian Pacific American Advocates
OCA South Florida Chapter
OCA-DC Chapter
OneAmerica
OPAWL - Building AAPI Feminist Leadership in Ohio
Oxfam America
ParentsTogether Action
Pars Equality Center
Partnership for the Advancement of New Americans
Pennsylvania Immigration and Citizenship Coalition
People For the American Way
Planned Parenthood Federation of America
Poligon Education Fund
Project South
Reconstructionist Rabbinical Association
Refugee Action Network
Refugee Education & Adventure Challenge (REACH)
RefugeeOne
Reviving the Islamic Sisterhood for Empowerment
Rising Voices of Asian American Families
Self-Help for the Elderly
Services, Immigrant Rights & Education Network (SIREN)
Shoulder to Shoulder
Sikh American Legal Defense and Education Fund (SALDEF)

Silver State Equality-Nevada
Sisters of Mercy of the Americas Justice Team
Somali Action Alliance Education Fund
South Asian American Policy and Research Institute (SAAPRI)
South Asian Americans Leading Together (SAALT)
South Asian Public Health Association (SAPHA)
Southeast Asia Resource Action Center
T'ruah: The Rabbinic Call for Human Rights
The Feminist Front (FF)
The Leadership Conference on Civil and Human Rights
Union for Reform Judaism
Unitarian Universalist Service Committee
United Church of Christ Justice and Witness Ministries
United We Dream
University of Miami Asian American Students Association
Veterans for American Ideals
Virginia Civic Engagement Table
Women for Afghan Women
Workers Center of Central New York
Yemeni Alliance Committee