June 11, 2019

The Honorable Lindsey Graham
Chairman, Judiciary Committee
United States Senate
290 Russell Senate Office Building
Washington, D.C. 20510-6050

The Honorable Dianne Feinstein
Ranking Minority Member, Judiciary Committee
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510-6050

Dear Chairman Graham and Ranking Member Feinstein,

We, the undersigned national, state, and local organizations, write to express our deep concern regarding the nomination of Ken Cuccinelli for the position of Director of U.S. Citizenship and Immigration Services (USCIS). For many years, first as a public official and later as a private citizen, Cuccinelli has espoused and promoted anti-immigrant views and policies that are antithetical to the important work that would be entrusted to him as the USCIS Director. There is a direct line of anti-immigrant sentiment running through Cuccinelli’s tenure in the Virginia Senate, to his time as the Attorney General for the state of Virginia, and continuing to today, which explains both why he was selected by the Trump administration for this position and why he is uniquely unqualified to be confirmed. We strongly urge you to oppose the nomination of Ken Cuccinelli, whose anti-immigrant agenda would undermine and obstruct the core purpose of USCIS.

Cuccinelli’s long history of supporting anti-immigrant policies includes:

- On October 23, 2018, Cuccinelli did an interview with Breitbart News Daily on the migrant caravan approaching the southern border. During the segment, Cuccinelli suggested that states could constitutionally enter into war with the caravan because “we’ve been being invaded for a long time and so the border states clearly qualify here to utilize this power themselves…because they’re acting under war powers, there’s no due process.” Cuccinelli added, “They can literally just line their National Guard up with, presumably with riot gear like they would if they had a civil disturbance and turn people back at the door. You just point them back across the river and let them swim for it.”

- On July 2014, Cuccinelli praised and promoted Brigitte Gabriel’s anti-Muslim comments during a panel. Gabriel is the head of the anti-Muslim group ACT for America. During the panel, Gabriel said that “on September 11 in the United States, we had 2.3 million Arab Muslims in the United States. It took 19 hijackers, 19 radicals, to bring America

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down to its knees, destroy the World Trade Center, attack the Pentagon, and kill almost 3,000 Americans that day. The peaceful majority were irrelevant.”

Cuccinelli posted a video of Gabriel’s comments on Facebook and stated, “this panelist’s point about irrelevance of the peaceful- BUT UNENGAGED- majority is extremely important and powerful. I.e., if the ‘agenda’ is driven by the radical minority then the peaceful majority doesn’t affect the course of history.”

- In May 2012, as Attorney General for the state of Virginia, Cuccinelli hailed Rep. Steve King (R-IA) as “one of my very favorite congressmen,” adding “I probably spend more time with Steve on Capitol Hill than anybody else.” Earlier this year, King was stripped of his committee assignments by the House Republican caucus because of his long record of racist, anti-immigrant, and white supremacist rhetoric.

- On January 12, 2012, while discussing a city ordinance in the District of Columbia, Cuccinelli compared immigrants to pests. Cuccinelli said that “the D.C. City Council passed a new law, or a triumph of animal rights over human health, where those pest control people [they hire] aren’t allowed to kill the rats. They have to relocate the rats and not only that—that’s actually not the worst part—they cannot break up the families of the rats. . . . Anyway, it is worse than our immigration policy—you can’t break up families. Or raccoons or all the rest and you can’t even kill them. Unbelievable.” At a time when thousands of families have been literally ripped apart by Department of Homeland Security personnel, and more continue to be separated at the border, Cuccinelli’s past use of dehumanizing language and his vigorous support for breaking up immigrant families should be red flags.

- As a Virginia State senator in 2008, Cuccinelli led an effort to call a constitutional convention to amend the Fourteenth Amendment to the U.S. Constitution to eliminate birthright citizenship. Given Cuccinelli’s restrictive views on citizenship, placing him in charge of the very agency responsible for adjudicating approximately one million naturalization applications each year risks undermining core constitutional protections.

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3 Ibid.


• On January 17, 2008, Cuccinelli introduced a proposal in the State Senate that would allow an employer to fire an employee who doesn’t speak English in the workplace and to make the terminated worker ineligible for unemployment benefits.\(^8\)

• On February 1, 2005, Cuccinelli strongly supported a bill in the Virginia legislature that would ban undocumented immigrants from enrolling in state colleges and said that he supports the “very broad exclusion of illegals.”\(^9\)

The Director of USCIS has the important role of overseeing our immigration system, from adjudicating the claims of individuals seeking asylum, petitioning for immigrant and nonimmigrant visas, and applying for U.S. citizenship. Cuccinelli has spent his career in and out of public office promoting anti-immigrant policies and propagating dehumanizing rhetoric and ideas. Cuccinelli’s track record shows that if confirmed, he would work to undermine the goals of the very agency that he would be in charge of leading. The undersigned organizations urge you to oppose the nomination of Ken Cuccinelli for the role of Director of USCIS.

Sincerely,

National Organizations
Advocates for Youth
African American Ministers In Action
Alianza Americas
America’s Voice
American Atheists
American Federation of State, County and Municipal Employees
American-Arab Anti-Discrimination Committee
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice | AAJC
Asian Pacific American Labor Alliance
Bend the Arc Jewish Action
Center for American Progress
Center for Constitutional Rights


NAACP
National Center for Lesbian Rights
National Council of Jewish Women
National Education Association
National Employment Law Project
National Employment Lawyers Association
National Equality Action Team (NEAT)
National Health Law Program
National Immigrant Justice Center
National Immigration Law Center
National LGBTQ Task Force Action Fund
National Organization for Women
National Partnership for New Americans
New American Leaders
People For the American Way
Planned Parenthood Federation of America
Pride at Work
Service Employees International Union (SEIU)
Sexuality Information and Education Council of the United States (SIECUS)
Sojourners
Southern Poverty Law Center
UnidosUS
Veterans for American Ideals
Voices for Progress
Voto Latino
Western States Center

State and Local Organizations
Akron Interfaith Immigration Advocates
Asian Americans Advancing Justice-LA
Black Immigrant Collective
CAIR San Francisco Bay Area
CAIR-Cincinnati
CASA in Action
Casa San Jose
Church Women United in New York State
Coalition for Humane Immigrant Rights (CHIRLA)
Equality California
Equality North Carolina
Families Rights Network
Florida Immigrant Coalition
Freedom for Immigrants
Friends of Broward Detainees
Georgia Association of Latino Elected Officials (GALEO)
Greater New York Labor Religion Coalition
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Defenders Law Center
Immigrant Law Center of Minnesota
International Institute of New England
InterReligious Task Force on Central America and Colombia
Justice and Peace Advocacy Center
La Unión del Pueblo Entero (LUPE)
Language and Cultural Awareness Services of Northern Michigan, LCC
Latino Victory Project
Mazzoni Center
MI ALMA
Michigan United
Mississippi Center for Justice
NAKASEC VA
New York Justice for Our Neighbors
NM Dream Team
OneAmerica
Pennsylvania Immigration and Citizenship Coalition
Progress Virginia
Progressive Leadership Alliance of Nevada
Sakhi for South Asian Women
San Diego Immigrant Rights Consortium
SC Appleseed Legal Justice Center
Seattle Immigrant Rights Action Group
Secretariat for Justice and Peace, Diocese of Gaylord
Services, Immigrant Rights & Education Network (SIREN)
Silver State Equality
South Asian Fund For Education, Scholarship and Training (SAFEST)
Thai Community Development Center
United We Dream
UnLocal, Inc.
Vigilant Love
Virginia Coalition for Immigrant Rights
Virginia Coalition of Latino Organizations (VACOLAO)
Voces de la Frontera
Voices for Progress
Wallingford Indivisible
Whitman-Walker Health
Wind of the Spirit Immigrant Resource Center