



March 8, 2021

United States Senate
Washington, DC 20510

**Re: Support of Nomination of Vanita Gupta to Associate Attorney General at
United States Department of Justice**

Dear Senator:

On behalf of the Lawyers' Committee for Civil Rights Under Law ("Lawyers' Committee"), I urge you to support the nomination of Vanita Gupta to the position of Associate Attorney General at the United States Department of Justice (DOJ). The Lawyers' Committee is a nonprofit civil rights organization founded in 1963 by the leaders of the American bar, at the request of President John F. Kennedy, to help defend the civil rights of Black Americans and other people of color. For nearly sixty years, the Lawyers' Committee has been at the forefront of many of the most significant cases involving race and national origin discrimination to secure equal justice for all.

Our civil rights mission and our history, as well as our organization's longstanding work with Ms. Gupta, make us uniquely qualified to support her nomination. Ms. Gupta has spent her career fighting for social and racial justice and championing civil rights and equality for all. Most recently, Ms. Gupta served as the President and CEO of the Leadership Conference on Civil and Human Rights ("Leadership Conference"), America's oldest, largest, and most diverse civil and human rights coalition. The Lawyers' Committee is one of the Leadership Conference's over 200-member organizations, and has had the privilege of standing with Ms. Gupta in her commitment to protecting the civil and human rights of all people. As such, we support her nomination and urge her prompt confirmation by the United States Senate.

The position of Associate Attorney General is the third highest-ranking position within the DOJ. Beyond collaborating with the Attorney General and Deputy Attorney General in the leadership of the over 100,000-person federal agency, the Associate Attorney General is tasked with oversight of offices like the Civil Rights Division, Civil Division, Office on Violence Against Women, Community Relations Service, Environment & Natural Resources Division, and Office of Justice Programs. The role is of the utmost importance, especially now. Ms. Gupta's nomination comes at a crucial moment in our nation's history. Recent events, ranging from the police killings of unarmed Black people, such as Elijah McClain, George Floyd, and Breonna Taylor, which sparked nationwide outrage last summer, to the white supremacist violence at the

Capitol on January 6th that struck at the heart of our democratic institutions, show that America needs an Associate Attorney General who will reignite the Justice Department’s commitment to integrity, independence, and civil rights enforcement. In President Joseph R. Biden’s remarks following the Capitol insurrection, he stated that the Justice Department was “formed in 1870 to enforce the civil rights amendment that grew out of the Civil War — the 13th, 14th and 15th amendments. To stand up to the Klan, to stand up to racism. To take on domestic terrorism. This original spirit must again guide and animate its work.”¹ There is no one better suited to aid in this mission than Ms. Gupta, who President Biden called “one of the most respected civil rights lawyers in America.”²

Ms. Gupta has spent the last two decades advocating for civil rights and equality in America. If confirmed, she will be the first civil rights lawyer to serve in one of the Department of Justice’s top three positions, bringing necessary experience and making her an exceptional fit for DOJ leadership at such a critical time. After graduating from Harvard University and New York University Law School, where she ultimately spent several years teaching a civil rights litigation course, Ms. Gupta began working with the NAACP Legal Defense and Education Fund (“LDF”). It was at LDF, a legal organization which fights for racial justice through litigation, advocacy, and public education, that she led the effort to overturn the wrongful drug convictions of 38 individuals in Tulia, Texas. All 38 were ultimately pardoned by Governor Rick Perry. As a colleague of Ms. Gupta’s on the staff at LDF during those years, I can attest that she made an equally significant impact on her peers, standing out for her vision, tenacity, and integrity. LDF’s current president and director-counsel, Sherrilyn Ifill, has stated that “Ms. Gupta is among the most highly-respected, visionary civil rights lawyers in the country, and her skill in consensus-building is exceptional.”³

Following her time at LDF, Ms. Gupta continued to advocate for social and racial justice in her role as Deputy Legal Director and Director of the Center for Justice at the American Civil Liberties Union (“ACLU”). In addition to overseeing the organization’s criminal justice work, she created and led the ACLU’s Smart Justice Campaign, aimed at ending mass incarceration. In this role, Ms. Gupta led her team to accomplish many civil rights victories, including securing a settlement on the behalf of immigrant children that led to the end of “family detention” practices at a Texas facility. Anthony Romero, the ACLU’s executive director, called Ms. Gupta “a once-in-a-generation leader”.⁴

¹ Philip Ewing & Brian Naylor, “Biden Says Capitol Attack Was ‘Culmination’ of Trump’s Attacks on Democracy,” NPR, Jan. 7, 2021, <https://www.npr.org/sections/biden-transition-updates/2021/01/07/954404473/biden-is-set-to-introduce-merrick-garland-as-his-attorney-general-pick>.

² “Joe Biden Introduces DOJ Nominees, Merrick Garland Transcript,” Rev, Jan. 7, 2021, <https://www.rev.com/blog/transcripts/joe-biden-introduces-doj-nominees-merrick-garland-transcript>.

³ “LDF Issues Statement on President-Elect Biden’s Nominees for Attorney General and Key Department of Justice Leadership Positions,” NAACP Legal Defense and Educational Fund, Jan. 7, 2021, <https://www.naacpldf.org/press-release/ldf-issues-statement-on-president-elect-bidens-nominees-for-attorney-general-and-key-department-of-justice-leadership-positions/>.

⁴ “ACLU Statement on Nomination of Vanita Gupta as Associate Attorney General,” ACLU, Jan. 6, 2021, <https://www.aclu.org/press-releases/aclu-statement-nomination-vanita-gupta-associate-attorney-general>.

Most recently, from October 2014 to January 2017, Ms. Gupta was selected by President Barack Obama to serve as Acting Assistant Attorney General to lead the Civil Rights Division of the DOJ. Under her skilled leadership, the Civil Rights Division did critical work in areas ranging from criminal justice reform to voting rights protection. Most notably, Ms. Gupta led efforts to reform policing in Ferguson, Baltimore, Chicago, and departments across the nation, helped to challenge North Carolina's HB2 and other anti-transgender policies, and aggressively worked to enforce federal voting rights after 2013's damaging *Shelby v. Holder* decision. Her comprehensive expertise, intimate knowledge of the DOJ and Civil Rights Department, and steadfast commitment to advocacy will serve her well in her role as Associate Attorney General.

The American public expects and relies upon the Senate to take its constitutionally mandated duty to vet executive appointees seriously. Vanita Gupta's history of civil rights advancement and commitment to social and racial justice, along with her litigation and advocacy experience, indicate that she is an excellent choice to aid in leading the Department of Justice. She promises to bring a vital civil rights focus to the Department, which will be indispensable given our nation's current climate. Furthermore, Ms. Gupta will set historic precedents in her role; the daughter of Indian immigrants, Ms. Gupta will be the first woman of color in history to serve as Associate Attorney General.

Thank you for your consideration of our support of the nomination of Ms. Gupta to the position of Associate Attorney General at the United States Department of Justice. We welcome the opportunity to discuss her nomination with your office further; if you have any questions or concerns please contact my colleagues Demelza Baer, Director of Public Policy, at dbaer@lawyerscommittee.org or Erinn D. Martin, Policy Counsel, at emartin@lawyerscommittee.org.

Sincerely,



Damon T. Hewitt
Acting President & Executive Director/
Executive Vice President
Lawyers' Committee for Civil Rights Under Law
Washington, D.C.