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December 11, 2015

The Honorable Harry Reid  
United States Senate  
Washington, DC 20510

The Honorable Barbara Mikulski  
United States Senate  
Washington, DC 20515

The Honorable Nancy Pelosi  
United States House of Representatives  
Washington, DC 20510

The Honorable Nita Lowey  
United States House of Representatives  
Washington, DC 20515

**Oppose National Origin Discrimination in Visa Waiver Omnibus Rider**

Dear Leaders Senator Harry Reid and Representative Nancy Pelosi and Ranking Members  
Senator Barbara Mikulski and Representative Nita Lowey:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 200 national civil and human rights advocacy organizations, we urge you to reject a provision in the House-passed H.R. 158, the Visa Waiver Program Improvement Act of 2015, that would exclude people from the visa waiver program (VWP) solely on the basis of national origin. This would amount to open discrimination yet would do little, if anything, to promote national security. This provision should be dropped from the FY2016 omnibus.

Section 3 of the House-passed bill would bar travelers from utilizing the VWP process if they are dual nationals of a VWP country and also of Iraq, Syria, or other countries that are named as state sponsors of terrorism. Its overly-broad language would apply to nationals of those countries even if they have never set foot there, and are only dual citizens because of the nationality of their parents.

While Iraqi or Syrian dual nationals, or people who have visited those countries, could still apply at a U.S. consulate for a nonimmigrant visa, they would be subjected to a process that raises concerns about ethnic and national origin profiling and other arbitrary practices. Under current procedures, consular decisions are not reviewable, which raises the likelihood that low-risk individuals would be barred from traveling to the United States altogether, while high-risk individuals would simply find other ways of doing harm.

We recognize that Congress is highly motivated to enact greater national security protections in the wake of the Paris and San Bernadino terrorist attacks, but these efforts should not undermine our longstanding principles. We urge you to strike this provision from any visa waiver reform rider that is included in the FY2016 omnibus.

Thank you for your consideration. If you have any questions, please contact either of us or Rob Randhava, Senior Counsel, at (202) 466-3311.



Sincerely,

A handwritten signature in black ink, appearing to read 'Wade Henderson', followed by a long horizontal flourish.

Wade Henderson  
President & CEO

A handwritten signature in black ink, appearing to read 'Nancy Zirkin', followed by a long horizontal flourish.

Nancy Zirkin  
Executive Vice President