



11 DUPONT CIRCLE NW
SUITE 800
WASHINGTON, DC 20036
202-588-5180
NWLC.ORG

March 23, 2021

VIA EMAIL

The Honorable Dick Durbin
Chair
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C., 20510

Chuck Grassley
Ranking Member
Senate Committee on the Judiciary
152 Dirksen Senate Office Building
Washington, D.C., 20510

Re: *Letter in Support of Vanita Gupta to be Associate Attorney General of the United States*

Dear Chairman Durbin and Ranking Member Grassley:

On behalf of the National Women's Law Center (the "Law Center"), I write to express strong support for the confirmation of Vanita Gupta as Associate Attorney General of the United States. The Law Center fights for gender justice – in the courts, in public policy, and in society – working across the issues that are central to the lives of women and girls. The Law Center uses the law in all its forms to change culture and drive solutions to the gender inequity that shapes society and to break down the barriers that harm women and girls – especially those who face multiple forms of discrimination, including women of color, LGBTQ people, and low-income women and families. For more than 45 years, the Law Center has been on the leading edge of every major legal and policy victory for women. The Law Center has had the privilege and honor to work directly with Ms. Gupta to advance equal justice for all and believes she is precisely the dedicated leader we need to fill the third-highest position at the Department of Justice.

Ms. Gupta has spent her entire career defending the rights and freedoms of people in this country and fighting for the most disenfranchised and marginalized individuals and communities. That experience is vital to her ability as the Associate Attorney General (ASG) to enforce laws of utmost importance to women, girls, and all people who face discrimination, including Title VII, Title IX, the Freedom of Access to Clinic Entrances Act (FACE), and the Violence Against Women Act (VAWA), as well as core constitutional protections, such as the Equal Protection Clause and the right to privacy. With decades of civil rights and gender justice experience, Vanita Gupta is immensely qualified to serve as Associate Attorney General of the Department of Justice.

Ms. Gupta is a seasoned civil rights attorney, who has held top roles in the Justice Department and prominent civil rights organizations. As the President and Chief Executive Officer of the Leadership Conference on Civil and Human Rights, Ms. Gupta leads the nation's oldest, largest, and most diverse civil and human rights coalition in the fight for equality and opportunity on the nation's most pressing civil rights issues. When Ms. Gupta was Principal Deputy Assistant Attorney General for the Civil Rights Division and Acting Assistant Attorney General for Civil Rights, she oversaw a wide range of criminal and

With the law on your side, great things are possible.

11 Dupont Circle # Suite 800 # Washington, DC 20036 # 202.588.5180 # 202.588.5185 Fax # www.nwlc.org

civil enforcement efforts including prosecuting hate crimes and human trafficking; promoting disability rights; advancing policing and criminal justice reform; protecting the rights of LGBTQ individuals; and combating discrimination in education, housing, employment, lending, and voting. Additionally, as Deputy Legal Director of the ACLU and Director of its Center for Justice, she worked on reform initiatives pertaining to federal and state policing, sentencing, drug policy and immigration detention facilities. Ms. Gupta's understanding of the inner workings of the Department and the depth and breadth of her work in civil rights makes her the perfect candidate to help lead the Justice Department.

Ms. Gupta has built her career on championing civil rights for all people, and these values and principles are especially apparent through her work addressing the intersection of racial justice and gender justice. Under her direction, the Civil Rights Division expanded its pattern and practice litigation to better address the disparate impacts of policing on survivors of sexual violence.¹ In that situation, after finding implicit and explicit bias in law enforcement responses toward Black victims, sexual assault survivors, sex workers, and transgender individuals, the Division worked with advocates, experts, and law enforcement to develop guidance for identifying and addressing gender bias and improving law enforcement responses to sexual assault and domestic violence. This is one of the many examples of the ways that Ms. Gupta worked with the civil rights community and law enforcement to better address the unique concerns of communities who disproportionately experience violence and who often incur particularly high obstacles to accessing justice and safety.

Ms. Gupta's collaboration with diverse stakeholders and her deep understanding of real-life effects the laws have on the most marginalized and disenfranchised communities arm her with the essential tools to address the most pressing issues facing this country. The Leadership Conference and the Law Center worked closely together on issues ranging from integrity of the courts; to exposing the racist, sexist stereotyping underlying the effort to condition Medicaid on work requirements;² to blocking medically unnecessary and burdensome state restrictions on abortion care;³ to safeguarding the ability of unions to protect the rights of working people.⁴ Through her leadership, the Leadership Conference also broadened its scope by joining amicus briefs and coordinating letters and comments supporting key gender justice policies and fighting discrimination in workplaces, schools, health care, and federal funding.⁵

Ms. Gupta's nomination as Associate Attorney General comes at a pivotal moment in this country, in the middle of a devastating crisis, and after an Administration that has undone our way of life and reversed a generation's worth of progress. Over the past four years, the Department of Justice has utterly failed to fulfill its mission of protecting and enforcing the legal rights of all people in America and instead put its weight behind efforts to undo key civil rights and legal protections, and did so

¹ [Identifying and Preventing Gender Bias \(justice.gov\)](https://www.justice.gov/identifying-preventing-gender-bias)

² <https://www.usatoday.com/story/opinion/2018/01/11/medicaid-work-requirements-throwback-rejected-racial-stereotypes-gupta-graves-column/1024134001/>

³ *June Med. Servs. v. Rebekah Gee* (Nos. 18-1323, 18-1460)

⁴ *Janus v. American Fedn. Of State* (No. 16-1466), 138 S. Ct. 2448 (2018)

⁵ See Gupta Senate Judiciary Committee Questionnaire, question 12(c) pages 12-35

outside the bounds of the Constitution. It backed unconstitutional abortion restrictions and, in a move denounced by prior DOJ officials and legal scholars, argued that the Affordable Care Act is unconstitutional. It reversed course from previous administrations to encourage discrimination in schools, workplaces, and health care; rolled back longstanding protections for survivors of sexual violence; and undermined and opposed LGBTQ equality efforts. It initiated the inhumane and unlawful policy separating immigrant children from their parents at the border; allowed rampant voter suppression; and otherwise weakened civil rights laws. The Department urgently needs an Associate Attorney General with a deep background in civil rights who will advance racial, gender, disability, ethnic, religious, immigrant, and LGBTQ justice and will repair trust in the Department of Justice's ability to uphold the civil and constitutional rights and legal protections of all. Ms. Gupta is the best person for this job.

We are further impressed by Ms. Gupta's superb presentation during her hearing and struck by the unequal treatment of Ms. Gupta and the baseless criticisms of her impeccable civil rights record. Ms. Gupta received more than three times the questions asked of Ms. Lisa Monaco in their joint hearing and was frequently interrupted. She remained poised and delivered well-reasoned, principled answers to the barrage of hostile questions and interruptions. Rather than facing sexist and racist attacks during her hearing, she should be celebrated. Ms. Gupta is a trailblazer. She would be the first woman of color and first civil rights lawyer to hold the third highest position in the Department. She is a shining example of how leadership of the Biden-Harris administration can and should reflect the lived experiences of those most impacted by discrimination. Vanita Gupta has the experience and the commitment to equal justice necessary to restore the mission and vitality of the Department of Justice at this critical moment.

The Law Center offers its unequivocal support of Vanita Gupta to be Associate Attorney General of the United States and urges the Committee to approve her nomination quickly.

Sincerely,



Fatima Goss Graves
President and CEO

Cc: Senate Judiciary Committee