



February 12, 2020

The Honorable Jerrold Nadler
Chairman, Committee on the Judiciary
United States House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Doug Collins
Ranking Member, Committee on the Judiciary
United States House of Representatives
1504 Longworth House Office Building
Washington, D.C. 20515

RE: Markup of H.R. 2214, the National Origin-Based Antidiscrimination for Nonimmigrants (NO BAN) Act and H.R. 5581, Access to Counsel Act

Dear Chairman Nadler, Ranking Member Collins, and Members of the Committee:

On behalf of Amnesty International USA (AIUSA) and our members and supporters throughout the country, we submit this statement for the record urging the House Judiciary Committee to quickly pass the National Origin-Based Antidiscrimination for Nonimmigrants (NO BAN) Act (H.R. 2214) and the Access to Counsel Act (H.R. 5581) and send it to the full House of Representatives for speedy consideration.

When President Trump signed the Muslim ban during his [first week in office](#), he set into motion a series of events that continue to leave families in uncertainty and danger to this day. Thousands of Amnesty International members have mobilized against the ban nationwide and globally, participated in protest marches and rallies, delivered a national petition to Congressional leadership, attended ceremonies of welcome at airports, and conducted gatherings to inform people of their rights.

President Trump's most recent executive proclamation, signed on January 31, 2020, expanded the list of banned countries by adding Nigeria, Eritrea, Myanmar, Kyrgyzstan, Sudan, and Tanzania. This latest act demonstrates the urgent need for Congress to pass legislation to curb the President's power to discriminatorily restrict people from coming to the U.S. based on their national origin or religion. These bans do not represent the will of the American people and do not respect human rights.

The Human Toll of the Muslim Ban

In the aftermath of the first iteration of the Muslim ban, AIUSA created a [dozen case studies](#) of the harms caused to individuals and families from Yemen, Iran, Sudan and elsewhere and [documented the many ways lives had been upended](#) by the ban. In 2019, AIUSA's researchers traveled to Lebanon and Jordan to conduct nearly 50 interviews with refugees that, as a result of the ban, have been stranded in countries where they face restrictive policies, increasingly hostile environments, and lack the same rights as permanent residents or citizens.

Out of that research AIUSA issued a report, ['The Mountain is in Front of Us and the Sea is Behind Us'](#), documenting how Trump's discriminatory policies have decimated refugee resettlement from Lebanon and Jordan, which host the highest number of refugees in the world relative to their populations. Amnesty International [has also described how neighboring countries hosting significant Syrian refugee populations are engaging in forcible returns of refugees to Syria, thereby endangering them.](#) The U.S.'s Muslim bans and draconian security measures for refugees create a cascading effect, not only forcing people to remain in limbo, but possibly putting them at risk of forced return to countries in which they have fled persecution, war, and violence.

January 2020 Expansion

The latest expansion of President Trump's restrictive policies is unfortunately nothing new. This ban effectively bans immigrants from 25% of the African continent and potentially prevents them being reunited with their families. Further, it demonizes millions of people. This latest ban, and the previous iterations, goes against this country's cherished values of equality, dignity, and opportunity for all and has no place in a country that values human rights. It will punish people not because of anything they have done, but because of who they are, where they are from, or what religion they practice.

The policies this administration has enacted towards people seeking safety have been cruel, inhumane, and bigoted. AIUSA has stood against these policies and stands in support of all people this administration seeks to exclude because of their identity. Reviving this ban, and the anti-Muslim sentiment in which it originated, is a violation of human rights and human dignity and must be overturned.

Pass the NO BAN Act and the Access to Counsel Act

Nondiscrimination is a core provision in all international human rights instruments. Executive orders and policies intended to discriminate against based on religion are unjustifiable under international human rights law.

It is time for Congress to rescind all versions of the Muslim ban, and all other dangerous and discriminatory policies that prevent children, families, and individuals from coming to the United States. A first and vital step would be for Congress to pass the NO BAN Act. We strongly support this measure because if passed it would: (1) undo the animus-driven "Muslim ban" and check the President's ability to discriminate on the basis of religion; (2) rescind the administration's attempt to unlawfully limit the right of asylum at the U.S. border; and (3) remove needless impediments upon refugees seeking resettlement, who are already subject to more vetting than any other group entering the United States.

Amnesty International USA also strongly supports the Access to Counsel Act, which ensures that individuals being held or detained for inspection at land crossings and ports of entry have the right to access legal representation. The announcement of the first Muslim ban unleashed chaos across the country, leading to people – including green card holders, refugees, children, and the elderly – suddenly being detained for prolonged periods of time at airports and wrongfully denied access to counsel while held there. The Access to Counsel Act would guarantee that individuals subjected to secondary inspection for prolonged periods of time can access the legal counsel they desperately need.

Sincerely,

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