



April 13, 2021

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
Committee on the Judiciary
2142 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Jordan:

On behalf of our national network of more than 300,000 supporters, Americans United for Separation of Church and State urges you to vote yes on H.R. 1333, the NO BAN Act. This bill will ensure no one can be banned from our country because of religious or nationality-based discrimination.

Religious freedom is a fundamental American value. The U.S. Constitution ensures we all have the right to believe—or not believe—and to practice our faith without government interference or discrimination. Americans United advocates for this foundational principle every day and has fought to protect everyone’s religious freedom since 1947.

The Muslim and African Bans

After promising a “total and complete shutdown of Muslims entering the United States,”¹ President Trump signed the Muslim Ban as one of his first acts in office. The ban resulted in widespread chaos and anguish immediately, stranding people abroad and even sending refugees away on return flights. Just days after the third anniversary of the Muslim Ban, President Trump expanded the ban, targeting even more Muslims and immigrants of color—including people from the most populous country in Africa.

On his first day in office, President Biden rescinded the bans, but countless families still remain separated—with heartbreaking consequences. The bans must be undone and we must ensure that no one can be banned because of religious or nationality-based discrimination in the future.

The Bans Impose a High Cost on Families and the Country

Because of the bans, people have been denied access to lifesaving medical treatments. Parents have been unable to care for their children; and spouses have been forced to live in separate countries. Some have been denied the opportunity to attend funerals or visit dying family members. Accomplished professionals, researchers, and students have been denied access to career and educational opportunities that would contribute to our country’s advancement. And even in the midst of a pandemic when first responders have been overwhelmed, doctors and medical professionals have been barred.

At the same time, the Muslim Ban validated the worst stereotypes about Muslims and emboldened extreme anti-Muslim bigotry, putting people’s lives in danger. After the Muslim Ban was put in place, hate crimes and acts of intimidation against Muslims surpassed the previous record year following 9/11.

¹ See Jenna Johnson, *Trump Calls for ‘Total and Complete Shutdown of Muslims Entering the United States,’* Wash. Post (Dec. 7, 2015), available at <https://wapo.st/2Q5kecu>.

The Muslim Ban Violated Religious Freedom

The Muslim Ban breached the foundational American promise of religious freedom for all. The Constitution protects the right of Muslims to exercise their beliefs, just like people who follow any other religion or no religion. Indeed, people of all faiths and backgrounds have long sought refuge in our country. Catholics, Protestants, Eastern Orthodox Christians, Jews, Muslims, Buddhists, Sikhs, Hindus, and atheists, among others, have all come to America because of our country's promise of religious freedom. But the Muslim Ban rejected this deeply rooted tradition of religious freedom.

Indeed, the "clearest command" of the First Amendment's Establishment Clause is to forbid the government from officially preferring one religious denomination over another.² The ban, in contrast, singled out Muslim-majority countries and subjected those who were born in or come from those countries to exclusion based on their faith. The ban sent the message that Muslims are "outsiders, not full members of the political community."³

The NO BAN Act

The NO BAN Act is a clear and unequivocal response to the Muslim and African Bans and a critical rebuke of the Trump administration's anti-immigrant, white Christian nationalist agenda. It would ensure no one can be banned from our country because of religious or nationality-based discrimination. We urge you to take action to defend the Constitution's religious freedom protections and vote yes on H.R. 1333, the NO BAN Act.

Sincerely,



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² *Larson v. Valente*, 456 U.S. 228, 244 (1982).

³ *See Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309 (2000).