



April 13, 2021

The Honorable Jerrold Nadler
Chairman, Committee on the Judiciary
United States House of Representatives
Room 2132 Rayburn House Office Building
Washington D.C. 20515

The Honorable Jim Jordan
Ranking Member, Committee on the Judiciary
United States House of Representatives
Room 2056 Rayburn House Office Building
Washington D.C. 20515

Statement for the Record: Markup of H.R. 1333, the National Origin-Based Antidiscrimination for Nonimmigrants (NO BAN) Act and H.R. 1573, Access to Counsel Act

Dear Chairman Nadler, Ranking Member Jordan, 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 pass the National Origin-Based Antidiscrimination for Nonimmigrants (NO BAN) Act (H.R. 1333) and the Access to Counsel Act (H.R. 1573) and send these bills to the full House of Representatives for speedy consideration.

Congress must pass this legislation to ensure that Presidential power cannot again be used to discriminatorily restrict people from coming to the U.S. on the basis of their national origin or religion, as we saw with the Muslim and African bans enacted by President Trump. The bans were among the most blatant and odious examples of the bigotry and racism that have flourished since the Trump era, in contravention of the U.S. government's human rights obligations.

Since the first iteration of the Muslim Ban in January 2017, we have seen families torn apart and an alarming rise in hate, white supremacy, and xenophobia. People who were supposed to be welcomed to safety were placed in limbo by a government that abandoned them. The bans were a catastrophe for those to whom welcome in the United States was a question of life and death.

Our research has demonstrated the deadly, dangerous, and disastrous impact of the bans. 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 researchers traveled to Lebanon and Jordan to conduct nearly 50 interviews with refugees that, as a result of the bans, were stranded in countries where they face restrictive policies, increasingly hostile environments, and lack the same rights as permanent residents or citizens. AIUSA's report [The Mountain is in Front of Us and the Sea is Behind Us](#) documented how President Trump's discriminatory policies decimated refugee resettlement from Lebanon and Jordan, which host the highest number of refugees in the world relative to their populations. The Muslim bans and draconian security measures for refugees created a cascading effect, not only forcing people to remain in limbo, but possibly putting them at risk of forced return to

countries from which they fled persecution, war, and violence. Amnesty International has [detailed](#) the premature return of refugees from Lebanon to Syria and, in late 2019, published a further report, [Sent to a War Zone: Turkey's Illegal Deportations of Syrian Refugees](#), detailing how the government of Turkey has deported Syrian refugees to Syria where they are at grave risk.

The subsequent extension of the Muslim bans into an African ban in January 2020 effectively banned immigrants from 25% of the African continent, [demonizing](#) millions of people with no apparent logic, including those suffering due to systemic repression and conflict. It represented the same hate and fear and continued a pattern of discriminatory treatment of African immigrants and asylum-seekers.

AIUSA [welcomed](#) President Biden's executive action in January ending the bans. Congress must now act to ensure that discrimination in contravention of human rights and human dignity does not again take place.

Furthermore, Congress should work with the Biden Administration to regain trust among immigrant communities, address the root causes of forced migration, and restore asylum rights and welcome for people seeking safety. Respecting human rights calls for nothing less.

Sincerely,

Joanne Lin
National Director, Advocacy and Government Affairs
Amnesty International USA