

April 13, 2021

VOTE “YES” ON THE PASSAGE OF H.R. 1333 (NO BAN Act)

Dear Representative,

On behalf of the American Civil Liberties Union (ACLU), and our more than 8 million members, supporters, and activists, we write to express our support for H.R. 1333, the NO BAN Act. This bill would make critical changes to the Immigration and Nationality Act (INA) by putting in place a more stringent standard to prevent presidents from invoking discriminatory suspensions or restrictions, like that of the Muslim ban which explicitly targeted Africans.



National Office
125 Broad Street
18th Floor
New York, NY 10004
aclu.org

Deborah N. Archer
President

Anthony D. Romero
Executive Director

We urge you to vote “YES” on H.R. 1333, the NO BAN Act and vote “NO” on any harmful amendments or other changes. The ACLU will score this vote.

Under current law, the executive branch has claimed the authority to bar the entry of large groups of people without effective accountability and without regard for the policies codified in other parts of the INA. The NO BAN Act would strengthen limitations on this authority by raising the standard for invoking it. Rather than the current broad and undefined standard, the proposed bill would require the executive branch to meet a more stringent standard—based on “specific and credible facts” that any suspension of or restriction from entry must be connected to “specific acts” that have actually occurred. Furthermore, the bill requires that any such suspension or restriction meet a compelling government interest and that the government use the least restrictive means in doing so.

The NO BAN Act would also establish a system of checks and balances whereby Congress would be routinely notified and briefed on the status, implementation and constitutional and legislative authority of the executive branch’s actions. Finally, the proposed legislation would expand the non-discrimination provision of the INA to prohibit discrimination based on religion. The bill also requires that any suspension or restriction must comply with all other provisions of the INA and includes a rule of construction indicating that the President, Secretary of State, and Secretary of Homeland Security cannot use this authority to act in a manner that is inconsistent with other policy decisions in immigration law.

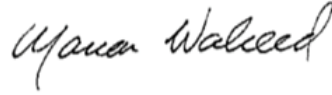
This bill is a significant step forward for Muslim communities and other communities that could be targeted discriminatorily or without good reason. By creating substantive standards and accountability, it greatly reduces the possibility of future bias-based bans.

The ACLU strongly urges you to pass H.R. 1333 without any harmful amendments. Please free to contact Manar Waheed (mwaheed@aclu.org) with any questions

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Newman".

Ronald Newman
National Political Director

A handwritten signature in black ink, appearing to read "Manar Waheed".

Manar Waheed
Senior Legislative and Advocacy Counsel