

March 10, 2020

VOTE “YES” ON AMENDMENTS TO H.R. 2486

Dear Representative,

On behalf of the Alliance for Immigrant Survivors (“AIS”), we write to express our strong support for the passage of the Access to Counsel Act (H.R. 5581), and the NO BAN Act (H.R. 2214), in the nature of amendments to H.R. 2486, scheduled for a floor vote on Thursday. We strongly urge Members to vote “YES” on both amendments.

Increasing Access to Counsel Will Support Survivors

AIS supports the Access to Counsel Act Amendment to HR 2486. The Access to Counsel Act will help ensure that survivors of domestic violence, sexual assault and human trafficking, including those with approved Violence Against Women Act related applications, T&U visas, and asylees and refugees, as well as those with other lawful status, have access to counsel if they are subject to secondary or deferred inspection. This is particularly critical for survivors needing protection from future or ongoing abuse or harm, who need legal counsel or representation to help them present legal claims for which they are eligible, and helps prevent the rescission of their lawful status without advice of counsel. Because many survivors of domestic violence, sexual assault and human trafficking are frequently isolated and misinformed by their abusers, they may be unaware of their legal rights and available protections, making access to counsel particularly critical. We strongly urge Members to support the adoption of the Access to Counsel Act amendment to H.R. 2486, and increase access to support for survivors of gender-based violence needing legal assistance.

Vote “YES” on the No Ban Act, with No Further Amendments, to Support Those Fleeing Gender-Based Violence and Seeking Protection.

In addition, AIS supports the NO BAN Amendment to HR 2486. The inclusion of the NO BAN Act seeks to rescind the travel and asylum bans, and makes critical changes to the Immigration and Nationality Act (INA) by putting in place a higher standard for the executive branch to invoke any similar suspension or restriction.

The Travel and Asylum Bans Harm Survivors of Domestic Violence, Sexual Assault, and Human Trafficking.

The original and recent expansions of the travel restrictions for individuals from Nigeria, Myanmar, Eritrea, Sudan, Tanzania, and Kyrgyzstan, in addition to earlier imposed restrictions on individuals from Iran, Libya, Syria, Yemen, Somalia, Venezuela, and North Korea (as well as Chad, which has now been removed from the list), to have blocked numerous women and children from obtaining the protections they need to avoid and escape violence, including human trafficking, rape, and other forms of gender-based violence.

These travel restrictions have endangered the safety of victims of sexual assault, domestic violence, and human trafficking, their families, and communities at large, further isolate victims, and erect barriers to established legal protections for victims. The travel and asylum bans have not only harmed those left stranded outside the U.S., it also conveys the message that victims, including U.S. citizens and their children with backgrounds from Muslim-majority countries do not merit protection from abuse.

Abusive partners, opportunistic predators, and manipulative employers have leveraged the increased restrictions and the unwelcoming climate they have created to target victims from the named or other majority-Muslim countries for further abuse and exploitation. Victim advocates report that abusers and predators have been using threats to have victims deported, and false allegations that victims are sympathetic to anti-American extremists, in order to control them and to keep them silent.

The NO BAN Act Will Help Support Survivors from the 13 Named Countries, and Others Seeking Protection

Under current law, the executive branch claims the authority to bar the entry of large groups of people without meaningful accountability, and without regard for the policies codified in other parts of the Immigration and Nationality Act. The NO BAN Act would strengthen limitations on this authority by raising the standard for invoking the restrictions. Rather than the current open-ended and broad standard, the NO BAN Act amendment would require the executive branch to meet a clearer standard to invoke restrictions, as well as meet a compelling government interest, and that the government use the least restrictive means in doing so.

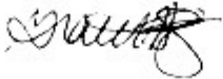
Placing reasonable checks and balances on the executive's authority also helps to ensure that protections for victims of domestic violence, sexual assault, and human

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trafficking that were enacted in the Violence Against Women Act and the Trafficking Victims Protection Act can be realized.

Vote “YES” on the Access to Counsel Act and the NO BAN Act and Without Further Amendments

These amendments are significant steps forward in providing increased safety and support for immigrant and refugee survivors of domestic violence, sexual assault and human trafficking. AIS strongly urges you to support the Access to Counsel and NO BAN Act amendments, without further changes that will potentially limit safety and access to counsel for survivors. Please do not hesitate to contact Grace Huang (ghuang@api-gbv.org) or Cecelia Friedman Levin (cecelia@asistahelp.org) if you have any questions. Thank you for your attention to this matter.



Grace Huang for
Alliance for Immigrant Survivors