

CONGRESS:

ENACT POLICIES THAT PUT DIPLOMACY – NOT WAR – FIRST!

Mounting tensions in the Middle East have led some in Washington to call for a military conflict with Iran. Such a show of force will send thousands of American soldiers into an unnecessary war and risk the lives of countless innocent civilians in the region. To effectively de-escalate the current crisis in the Middle East and best serve national interests, the U.S. must prioritize diplomacy and support the democratic aspirations of the people of Iran.

Congress must prevent federal funds from being used for any military force in or against Iran without explicit congressional authorization.

THE FACTS

A war with Iran will be long, costly and catastrophic for the United States and the global economy. It will require more U.S. troops than were deployed in Iraq and Afghanistan combined. Before lawmakers rush into conflict, it's important to consider the facts.

- **The Iraq War is a haunting reminder of the cost of conflict:** 4,488 American lives lost, 32,226 Americans wounded, 460,000 Iraqis dead, \$2.4 trillion U.S. dollars spent, and more than \$1 trillion US dollars added to the national debt.
- **Most Americans want a peaceful resolution to the conflict with Iran.** Less than a quarter of registered U.S. voters (only 19 percent) say they want the U.S. to take military action against Tehran according to a Hill-HarrisX survey taken June 22-23, 2019.
- **Voters do not support another unnecessary war.** According to a June 2019 poll commissioned by liberal-leaning VoteVets and conservative-leaning Concerned Veterans for America, 54 percent of voters in key swing states oppose the U.S. conducting an attack on Iran before the end of 2019, compared to just 29 percent of voters who support such action.
- **Iranian Americans prefer to resolve differences through diplomacy.** Since 2008, polling conducted by the Public Affairs Alliance of Iranian Americans (PAAIA) of the Iranian American community has consistently shown that while Iranian Americans want to see the promotion of human rights and democracy in Iran, they prefer to resolve differences with the government of Iran through diplomacy.
- **Iranian Americans want change to come from within – not from an outside force.** Polling by PAAIA in 2018 shows that 50 percent of Iranian Americans believe that a grassroots democratic movement is the approach most likely to move Iran toward a more democratic society while only five percent support covert action or military attack.

PURSUE DIPLOMACY FIRST

Before we send our American sons and daughters into another war, the U.S. should exhaust all possible diplomatic options. **PAAIA urges lawmakers to support the bipartisan amendment in the annual National Defense Authorization Act that prevents federal funds from being used for any military force in or against Iran without explicit congressional authorization.** U.S. policies toward Iran should reflect the democratic aspirations of the Iranian people, without whom there can be no long-term diplomatic resolution of conflict.



About PAAIA: The Public Affairs Alliance of Iranian Americans (PAAIA) is a nonprofit, nonpartisan, nonsectarian organization that serves the interests of Iranian Americans and represents the community before U.S. policymakers and the American public at large. PAAIA recently launched its Diplomacy First campaign to advocate against a costly and unnecessary war with Iran. For more information, visit www.diplomacyfirst.com or www.paaia.org.

CONGRESS:

SUPPORT THE NO BAN ACT – END THE TRAVEL BAN!

At a time when the State Department seems focused on countering the Iranian regime and calling for the protection of human rights in Iran, the Travel Ban stands, contradicting U.S. goals and further isolating the Iranian people. After two years of a failed and discriminatory policy, it is time for the United States to reevaluate the Travel Ban and its impact on foreign policy objectives. To protect U.S. interests domestically and abroad, as well as to reaffirm who we are as a nation, the U.S. must pass the NO BAN Act.

Congress must repeal the ban and prevent similar discriminatory bans from being implemented in the future.

THE FACTS

The Travel Ban is detrimental to American interests. It not only harms the economic benefits we receive from visitors from the banned countries but also diminishes our position on the world stage and contradicts our own foreign policy. The NO BAN Act is a meaningful and practical step forward and it's important to consider the facts.

- **The ban does not make us safer.** Since the establishment of the Islamic Republic of Iran 40 years ago, visiting Iranians have presented no threat to national security while on U.S. soil. The stated reason for the ban – that it would reduce terrorism and protect our national security – has been refuted by multiple authorities including an internal report from the Department of Homeland Security.
- **Very few waivers are being issued, even to those who meet the stated criteria.** Only 1.3% of Iranian visa applicants have received waivers—less than all of the other banned countries. Overall, only 6% of applicants from the banned countries have received waivers. Supreme Court Justices Sotomayor and Breyer called the waiver system a ‘sham’ and merely “window dressing.” Some people have even died waiting for waivers for which they had the necessary qualifications.
- **The ban contradicts stated U.S. foreign policy goals.** The administration claims “to support the Iranian people,” but the Travel Ban simply suppresses their aspirations and worsens their quality of life. The Iranian government cites Western cultural influences as one of the greatest dangers to the regime, meaning one of the best ways to support the democratic movement in Iran is more engagement with the U.S.—not less. Banning Iranian civilians from visiting sends the message that they are unwelcome and that we don't support their struggle for freedom.
- **American families are being hurt by this discriminatory policy.** Massive and unfounded denials of Travel Ban waivers block citizens of the banned countries from accessing life-saving medical treatments, prevent parents from sharing in their children's important milestones, and separate spouses and loved ones.
- **Iranians like the United States and Iranian Americans have made significant contributions to the U.S.** The majority of Iran's population holds a very favorable disposition towards America—more so than any country in the Middle East with the exception of Israel. They've traditionally viewed the U.S. as a country that embodies openness, meritocracy, and rule of law, but now they can't partake in the American dream, even as visitors. Meanwhile, Iranian Americans are among the most educated and successful immigrant groups in the U.S. the Travel Ban overlooks their remarkable contributions to the social, economic, and cultural fabric of the U.S.

SUPPORT THE NO BAN ACT

PAAIA urges lawmakers to support the National Origin-based Antidiscrimination for Nonimmigrants Act (NO BAN Act) which would repeal the Travel Ban and prevent any future discriminatory bans from being implemented. Instead of targeting innocent civilians, the U.S. should focus on the behavior of Iran's government and create consistent, objective policy to make our country safer.



About PAAIA: The Public Affairs Alliance of Iranian Americans (PAAIA) is a nonprofit, nonpartisan, nonsectarian organization that serves the interests of Iranian Americans and represents the community before U.S. policymakers and the American public at large. For more information about PAAIA and its objectives, visit www.diplomacyfirst.com or www.paaia.org.

NDA Amendment to Prevent War with Iran

AMENDMENT TO RULES COMM. PRINT 116-19

OFFERED BY M __. _____

At the end of subtitle C of title XII, add the following:

1 **SEC. __. PROHIBITION OF UNAUTHORIZED MILITARY**
2 **FORCE IN OR AGAINST IRAN.**

3 (a) **FINDINGS.**—Congress finds the following:

4 (1) The acquisition by the Government of Iran
5 of a nuclear weapon would pose a grave threat to
6 international peace and stability and the national se-
7 curity of the United States and United States allies,
8 including Israel.

9 (2) The Government of Iran is a leading state
10 sponsor of terrorism, continues to materially support
11 the regime of Bashar al-Assad, and is responsible
12 for ongoing gross violations of the human rights of
13 the people of Iran.

14 (3) Article I of the United States Constitution
15 requires the President to obtain authorization from
16 Congress before engaging in war with Iran.

17 (b) **CLARIFICATION OF CURRENT LAW.**—Nothing in
18 the Authorization for Use of Military Force (Public Law
19 107-40; 50 U.S.C. 1541 note), the Authorization for Use

1 of Military Force Against Iraq Resolution of 2002 (Public
2 Law 107–243; 50 U.S.C. 1541 note), or any other provi-
3 sion of law enacted before the date of the enactment of
4 this Act may be construed to provide authorization for the
5 use of military force against Iran.

6 (c) PROHIBITION OF UNAUTHORIZED MILITARY
7 FORCE IN OR AGAINST IRAN.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (1), no Federal funds may be used for any
10 use of military force in or against Iran unless Con-
11 gress has—

12 (A) declared war; or

13 (B) enacted specific statutory authoriza-
14 tion for such use of military force after the date
15 of the enactment of this Act that meets the re-
16 quirements of the War Powers Resolution (50
17 U.S.C. 1541 et seq.).

18 (2) EXCEPTION.—The prohibition under para-
19 graph (1) shall not apply to a use of military force
20 that is consistent with section (2)(c) of the War
21 Powers Resolution.

22 (d) RULES OF CONSTRUCTION.—(1) Nothing in this
23 section may be construed to prevent the President from
24 using necessary and appropriate force to defend United
25 States allies and partners if Congress enacts specific stat-

1 utory authorization for such use of force consistent with
2 the requirements of the War Powers Resolution (50
3 U.S.C. 1541 et seq.).

4 (2) Nothing in this Act may be construed to relieve
5 the executive branch of restrictions on the use of force,
6 reporting, or consultation requirements set forth in the
7 War Powers Resolution (50 U.S.C. 1541 et seq.).

8 (3) Nothing in this Act may be construed to authorize
9 the use of military force.



NO BAN Act (also in the Senate as S. 1123)

116TH CONGRESS
1ST SESSION

H. R. 2214

To transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Ms. JUDY CHU of California (for herself, Mr. PALLONE, Ms. ESHOO, Ms. CLARKE of New York, Mr. BLUMENAUER, Ms. STEVENS, Mrs. WATSON COLEMAN, Mrs. NAPOLITANO, Miss RICE of New York, Ms. VELÁZQUEZ, Mr. KILDEE, Mr. DESAULNIER, Ms. DELBENE, Mr. POCAN, Mr. EVANS, Mrs. LAWRENCE, Ms. PRESSLEY, Mr. LEVIN of Michigan, Mr. DAVID SCOTT of Georgia, Mr. GRIJALVA, Mr. BROWN of Maryland, Mr. NADLER, Ms. LOFGREN, Mr. CARSON of Indiana, Mr. BEYER, Ms. OMAR, Mr. KHANNA, Ms. JAYAPAL, Ms. TLAIB, Ms. NORTON, Ms. SCHAKOWSKY, Mr. ROSE of New York, Mr. ESPAILLAT, Mr. GOMEZ, Mrs. DINGELL, Mr. RUSH, Mr. SMITH of Washington, Mr. CÁRDENAS, Ms. SHALALA, Mr. CORREA, Ms. OCASIO-CORTEZ, Ms. LEE of California, Mr. MALINOWSKI, Ms. SPANBERGER, Mr. MCGOVERN, Mr. COHEN, Mr. JOHNSON of Georgia, Mr. RUPPERSBERGER, Ms. MENG, Mr. TONKO, Mrs. TRAHAN, Mr. KENNEDY, Mr. MOULTON, Ms. ADAMS, Mr. CUMMINGS, Mr. CONNOLLY, Ms. ROYBAL-ALLARD, Mr. LEWIS, Mrs. KIRKPATRICK, Mr. SIRES, Ms. SLOTKIN, Mr. GREEN of Texas, Ms. MCCOLLUM, and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “National Origin-Based
5 Antidiscrimination for Nonimmigrants Act” or the “NO
6 BAN Act”.

7 **SEC. 2. EXPANSION OF NONDISCRIMINATION PROVISION.**

8 Section 202(a)(1)(A) of the Immigration and Nation-
9 ality Act (8 U.S.C. 1152(a)(1)(A)) is amended—

10 (1) by inserting “or a nonimmigrant visa, entry
11 into the United States, or the approval or revocation
12 of any immigration benefit” after “immigrant visa”;

13 (2) by inserting “religion,” after “sex,”; and

14 (3) by inserting “, except if expressly required
15 by statute, or if a statutorily authorized benefit
16 takes into consideration such factors” before the pe-
17 riod at the end.

18 **SEC. 3. TRANSFER AND LIMITATIONS ON AUTHORITY TO**
19 **SUSPEND OR RESTRICT THE ENTRY OF A**
20 **CLASS OF ALIENS.**

21 Section 212(f) of the Immigration and Nationality
22 Act (8 U.S.C. 1182(f)) is amended—

23 (1) in the subsection heading, by striking “BY
24 PRESIDENT”; and

1 (2) by striking “Whenever the President” and
2 all that follows through “appropriate.” and inserting
3 the following:

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 if the Secretary of State, after consultation with the
6 Secretary of Homeland Security, determines, based
7 on credible facts, that the entry of any aliens or of
8 any class of aliens into the United States should be
9 suspended or restricted to address specific acts that
10 undermine the security or public safety of the
11 United States; human rights; democratic processes
12 or institutions; or international stability, the Presi-
13 dent may temporarily—

14 “(A) suspend the entry of any aliens or
15 any class of aliens as immigrants or non-
16 immigrants; or

17 “(B) impose any restrictions on the entry
18 of aliens that the President considers to be ap-
19 propriate.

20 “(2) LIMITATIONS.—In carrying out paragraph
21 (1), the President, the Secretary of State, and the
22 Secretary of Homeland Security—

23 “(A) shall provide specific evidence sup-
24 porting the determination;

1 “(B) shall comply with all provisions of
2 this Act, including section 202(a)(1)(A);

3 “(C) shall narrowly tailor the suspension
4 or restriction to meet a compelling govern-
5 mental interest;

6 “(D) shall specify the duration of the sus-
7 pension or restriction and set forth evidence
8 justifying such duration;

9 “(E) shall use the least restrictive means
10 possible to achieve the specified governmental
11 interest; and

12 “(F) shall consider waivers to any class-
13 based restriction or suspension and apply a re-
14 buttable presumption in favor of granting fam-
15 ily-based and humanitarian waivers.

16 “(3) CONSULTATION.—The President, the Sec-
17 retary of State, and the Secretary of Homeland Se-
18 curity shall consult with Congress before exercising
19 the authority under paragraph (1).

20 “(4) CONGRESSIONAL NOTIFICATION.—Not
21 later than 48 hours after the President exercises the
22 authority under paragraph (1), the Secretary of
23 State and the Secretary of Homeland Security shall
24 provide a briefing and submit a written report to the
25 Committee on Foreign Relations of the Senate, the

1 Committee on the Judiciary of the Senate, the Com-
2 mittee on Homeland Security and Governmental Af-
3 fairs of the Senate, the Committee on Foreign Af-
4 fairs of the House of Representatives, the Com-
5 mittee on the Judiciary of the House of Representa-
6 tives, and the Committee on Homeland Security of
7 the House of Representatives that describes—

8 “(A) the actions taken pursuant to para-
9 graph (1) and the number of individuals to
10 which such actions apply;

11 “(B) the constitutional and legislative au-
12 thority under which such actions took place;
13 and

14 “(C) the circumstances necessitating the
15 actions taken pursuant to paragraph (1), in-
16 cluding how such actions comply with the limi-
17 tations described in paragraph (2).

18 “(5) PERIODIC REPORTING.—If the briefing re-
19 quired under paragraph (4) is not provided by the
20 Secretary of State and the Secretary of Homeland
21 Security within 48 hours after exercising the author-
22 ity under paragraph (1), and updated every 30 days
23 thereafter, such emergency suspension or action
24 shall immediately terminate absent intervening con-
25 gressional action.

1 “(6) PUBLICATION.—The Secretary of State
2 and the Secretary of Homeland Security shall pub-
3 licly announce and publish in the Federal Register—

4 “(A) the nature of the actions taken pur-
5 suant to paragraph (1);

6 “(B) the estimated number of individuals
7 impacted by such actions;

8 “(C) the specified objective of each such
9 action; and

10 “(D) the circumstances necessitating such
11 actions.

12 “(7) JUDICIAL REVIEW.—

13 “(A) IN GENERAL.—Notwithstanding any
14 other provision of law, an individual or entity
15 who is present in the United States and has
16 been harmed by a violation of this subsection
17 may file an action in an appropriate district
18 court of the United States to seek declaratory
19 or injunctive relief.

20 “(B) CLASS ACTION.—Nothing in this Act
21 may be construed to preclude an action filed
22 pursuant to subparagraph (A) from proceeding
23 as a class action.

24 “(8)”.

1 **SEC. 4. TERMINATION OF CERTAIN EXECUTIVE ACTIONS.**

2 (a) TERMINATION.—Presidential Proclamations 9645
3 and 9822 and Executive Orders 13769, 13780, and 13815
4 shall be void beginning on the date of the enactment of
5 this Act.

6 (b) EFFECT.—All actions made pursuant to any proc-
7 lamation or executive order terminated under subsection
8 (a) shall cease on the date of the enactment of this Act.

9 **SEC. 5. VISA APPLICANTS REPORT.**

10 (a) INITIAL REPORTS.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary of
12 State, in coordination with the relevant heads of other
13 Federal agencies, shall submit a report to the appropriate
14 congressional committees that describes the implementa-
15 tion of each of the presidential proclamations and execu-
16 tive orders referred to in section 4. The report submitted
17 with respect to Presidential Proclamation 9645 (“Presi-
18 dential Proclamation Enhancing Vetting Capabilities and
19 Processes for Detecting Attempted Entry Into the United
20 States by Terrorists or Other Public-Safety Threats”),
21 issued on September 24, 2017, should include, for each
22 country listed in Presidential Proclamation 9645 or in any
23 subsequent amendment to such proclamation—

24 (1) the total number of new visa applicants,
25 disaggregated by country and visa category;

1 (2) the total number of visa applicants ap-
2 proved, disaggregated by country and visa category;

3 (3) the total number of visa applicants rejected,
4 disaggregated by country and visa category, and the
5 reasons they were rejected;

6 (4) the total number of pending visa applicants,
7 disaggregated by country and visa category;

8 (5) the total number of visa applicants granted
9 a waiver, disaggregated by country and visa cat-
10 egory;

11 (6) the total number of visa applicants denied
12 a waiver under such section, disaggregated by coun-
13 try and visa category, and the reasons such waiver
14 requests were denied;

15 (7) the total number of refugees admitted,
16 disaggregated by country; and

17 (8) the complete reports that have been sub-
18 mitted to the President every 180 days in accord-
19 ance with section 4 of Presidential Proclamation
20 9645.

21 (b) ADDITIONAL REPORTS.—Not later than 30 days
22 after the President exercises authority under section
23 212(f) of the Immigration and Nationality Act, as amend-
24 ed by section 3, and every 30 days thereafter, the Sec-
25 retary of State, in coordination with the heads of other

1 relevant Federal agencies, shall submit a report to the ap-
2 propriate congressional committees that identifies, with
3 respect to visa applications affected by a suspension or
4 restriction authorized under such subsection, the informa-
5 tion described in paragraphs (1) through (7) of subsection
6 (a).

7 (c) FORM; AVAILABILITY.—The reports required
8 under subsections (a) and (b)—

- 9 (1) shall be submitted in unclassified form; and
10 (2) shall be made publicly available online.

○