

was awarded his second Silver Star—the U.S. military's third-highest combat decoration. Englen's adept piloting through mountainous terrain enabled the strike force to approach bin Laden's compound undetected and take out the man responsible for the deadliest terrorist attack in human history.

Englen's exploits in defense of the country have resulted in his admittance into the Army Aviation Association of America Aviation Hall of Fame—an honor he shares with accomplished Army Aviators, including his fellow Night Stalker Michael Durant and numerous Medal of Honor recipients. Prior to retirement, Mr. Englen was noteworthy for being the most decorated Army Aviator on active duty. Doug Englen is a hero to heroes.

It is altogether fitting that we honor Chief Englen as he concludes a remarkable career marked by his steadfast commitment to duty and country. He leaves the 160th SOAR with two Silver Stars, one Distinguished Service Medal, three Distinguished Flying Crosses, two Legions of Merit, two Bronze Stars, and eight Air Medals. On behalf of the United States Congress, I wish to commend Chief Englen for his faithful service to our nation, and I congratulate him on the occasion of his retirement from the United States Army.

#### SUPPORT FOR NO BAN ACT AND PREVENTING FUTURE DISCRIMINATORY BANS

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 29, 2020*

Ms. JACKSON LEE. Madam Speaker, let me offer my appreciation and thanks to Congresswoman TLAIB of Michigan for anchoring an important special order on the National Origin-Based Antidiscrimination for Non-immigrants Act or "No Ban Act," legislation which terminates the Trump Administration's so-called Muslim Ban and prevents future discriminatory bans.

As a senior member of the committees on the Judiciary and on Homeland Security, and the vice-Chair of Congressional Progressive Caucus, and the Chair of the Congressional Pakistan Caucus and the Congressional Nigeria Caucus, I am proud to support the No Ban Act because it broadens Section 202(a) of the Immigrant and Nationality Act to include a nondiscrimination provision which includes protection from religious discrimination and applies to all individuals traveling to the United States.

Specifically, the No Ban Act ensures that this nondiscrimination provision applies to non-immigrant visas, entry into the United States, or the approval or revocation of any immigration benefit.

The legislation mandates that restrictions or suspensions entry must be supported by reliable and compelling evidence and that it is tailored to the specified purpose and requires the consultation and input of the Secretary of State and Secretary of Homeland Security when suspending or restricting entry under Section 212(f).

The No Ban Act preserves the President's ability to use this authority when the Secretary of State determines, based on credible facts, that entry should be suspended or restricted to

address specific acts that undermine the security or public safety of the United States or of human rights or of democratic processes or institutions or endangers international stability.

These permissible uses of Section 212(f) have been employed by previous Democratic and Republican presidents.

The No Ban Act requires specific evidence supporting the use of Section 212(f), including evidence that is connected with the duration of the suspension or restriction and requires that the suspension or restriction must be narrowly tailored to address a compelling governmental interest, using the least restrictive means possible.

Waivers for class-based restrictions and suspensions must be considered and the bill provides that there is a rebuttable presumption in favor of family-based and humanitarian waivers.

The bill repeals the unilateral executive actions and three Muslim ban executive orders and presidential proclamations that have harmed the Muslim American community and damaged our standing in the world.

I also approve the legislation's repeal of the Trump executive order that instituted extreme vetting for refugees, as well as an asylum presidential proclamation that abused the Section 212(f) authority.

Another salutary aspect of the bill is that it ensures there will be congressional consultation and periodic reporting for any future use of Section 212(f) to ensure that Congress has data on visa applications and refugee admissions to conduct critical oversight.

If a briefing is not provided within 48 hours and updated every 30 days thereafter, the emergency suspension or action will terminate absent congressional action.

Finally, the No Ban Act requires backward-looking reporting on how each of the executive orders and presidential proclamations was implemented to ensure a complete reckoning.

Given the harm created by the Muslim Ban upheld by the Supreme Court in its 5–4 decision in *Trump v. Hawaii*, 585 U.S. —, No. 17–965 (June 26, 2018), is it any wonder that the NO BAN Act enjoys broad support from nearly 400 civil rights, faith-based, and community organizations, as well as the legal community, the ACLU, the National Immigration Law Center, the NAACP, the Leadership Conference on Civil and Human Rights, Church World Service, Amnesty International, and the International Refugee Assistance Project.

It is useful to review how we got to this point.

During the 2016 presidential campaign, then-candidate Donald Trump pledged at a political rally in Mount Pleasant, South Carolina that, if elected, he would ban Muslims from entering the United States and was "calling for a total and complete shutdown of Muslims entering the United States."

On January 27, 2017, as President, Trump signed Executive Order No. 13,769 (EO–1), which, among other things, suspended entry for 90 days of foreign nationals from seven countries identified by Congress or the Executive as presenting heightened terrorism-related risks, which was immediately challenged and enjoined nationwide by a federal district court.

Rather than continuing to litigate the matter, the government announced that it would revoke that order and issue a new one.

On March 6, 2017, President Trump issued Executive Order No. 13,780 (EO–2), section

2(c) of EO–2 of which directed that entry of nationals from six of the seven countries designated in EO–1 be suspended for 90 days from the effective date of the order, citing a need for time to establish adequate standards to prevent infiltration by foreign terrorists.

Section 6(a) of that executive order directed that applications for refugee status and travel of refugees into the United States under the United States Refugee Admissions Program (USRAP) be suspended for 120 days from the effective date "to review the adequacy of USRAP application and adjudication procedures" and section 6(b) suspended the entry of any individual under USRAP once 50,000 refugees have entered the United States in fiscal year 2017.

On June 14, just before Section 2(c) of EO–2 was by its terms set to expire, President Trump issued a memorandum to Executive Branch officials declaring the effective date of each enjoined provision of EO–2 to be the date on which the injunctions in these cases "are lifted or stayed with respect to that provision." The government sought review in both cases, making arguments both on the merits of the cases and on procedural issues.

On September 24, 2017, the President issued a Proclamation restricting travel to the United States by citizens from eight countries, which along with the previous executive orders was struck down by the Ninth Circuit before the United States Supreme Court granted certiorari and reversed the lower court by the narrow 5–4 margin.

Let me share a story of how the President's Muslim Ban affects people in real life, living in the real world, one of whom lived in my congressional district.

A few days after the first Muslim Ban was issued on January 27, 2017, I got a call to go to the George Bush Intercontinental Airport in my district.

ICE had detained a Katy High School student from Jordan following President Trump's immigration ban.

His name was Mohammad Abu Khadra.

He was detained in Houston at the airport and then spirited away to Chicago when he returned from his native country a day after President Donald Trump issued his immigration ban.

He was an innocent child who had gone home to renew the documents that allowed him to be in America.

They had expired after he spent a few months living in the United States with his older brother.

Mohammad Abu Khadra was just a young man who wanted to come to the United States, as many others do.

The teenager looked every bit the part of an increasingly diverse America, with hair cut stylishly short on the sides and long on top, wearing a slim-fitting shirt, buttoned up to the collar, with rolled-up jeans and a big, blue wristwatch.

His 37-year-old brother had lived in America for five years at the time.

Mohammad had been taking courses in English as a second language.

When Mohammad came to Texas on a tourist visa a few months prior, he had no trouble and had the documents required.

When he returned to renew his paperwork, he was doing exactly what was required of him.

Landing back again in Houston, however, Mohammad had been swept up needlessly in

Trump's ban which does not even include Jordan, a longtime ally of the United States.

They pulled him aside and kept asking him, "What are you doing? Where are you going? What is your business?"

The questions continued for a scared young boy thousands of miles away from home without counsel.

Mohammad told the truth about what he was doing while in the States.

At some point during the questioning, Mohammad told authorities that he was enrolled in school.

Enrolling in public school is a violation of his visa, but we do not ask students their status in the school system in Harris County.

He was taking only ESL courses—something he perhaps had not been able to explain.

Authorities held Mohammad, questioned him without counsel and then sent him to Chicago to a detention center for an undetermined amount of time.

This is a 16-year-old boy, and this should not have happened to him.

He was a minor, the case moved from the Department of Homeland Security to Health and Human Services, which eventually released him.

The Muslim Ban was the first separation of children from their families and turned out to be a harbinger of the cruelties and inhumanities to come.

That is why we need to pass H.R. 2214, the No Ban Act.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 30, 2020 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### FEBRUARY 4

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Transportation and Safety

To hold hearings to examine stakeholder perspectives on trucking in America.

SH-216

##### FEBRUARY 5

9:30 a.m.

Committee on Veterans' Affairs

To hold hearings to examine the VA MISSION Act, focusing on the implementation of the Community Care Network.

SR-418

Commission on Security and Cooperation in Europe

To hold hearings to examine the power and purpose of parliamentary diplomacy, focusing on inter-parliamentary initiatives and the United States contribution.

CHOB-210

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine athlete safety and the integrity of U.S. Sport.

SH-216

Committee on Environment and Public Works

To hold an oversight hearing to examine the Fish and Wildlife Service.

SD-406

Committee on Finance

To hold hearings to examine the nominations of Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board.

SD-215