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ONE HUNDRED THIRTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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October 16, 2014

The Honorable Barack Obama  
President of the United States  
1600 Pennsylvania Ave., NW  
Washington, DC 20500

Mr. President,

We write regarding your solemn duty as the President of the United States to take every step possible to protect the American people from danger. Specifically, we urge you to use authority granted to you by Congress in the Immigration and Nationality Act to prohibit foreign nationals who were recently present in an Ebola-ravaged country, from entering the United States.

8 U.S.C. 1182(f) states "[W]henver the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he deems to be appropriate."

You utilized this provision in August 2011, "to restrict the international travel and to suspend the entry into the United States, as immigrants or nonimmigrants, of certain persons" who participated in serious human rights and humanitarian law violations.<sup>1</sup> Preventing Americans from contracting Ebola, which the World Health Organization (WHO) notes "has a death rate of up to 90%" and has already killed at least 4,484 people in Guinea, Liberia and Sierra Leone, is every bit as important as preventing human rights abusers from entering the United States.<sup>2</sup>

<sup>1</sup> Presidential Proclamation, *Suspension of Entry as Immigrants and Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations and Other Abuses*, Aug. 4, 2011.

<sup>2</sup> World Health Organization, "Frequently Asked Questions on Ebola virus disease," <http://www.who.int/csr/disease/ebola/ebola-faq-en.pdf?ua=1>, Updated Aug 7, 2014.

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While Ebola is not transmittable until a victim develops symptoms, the WHO notes that the incubation period can be 42 days or longer and that certain methods of Ebola transmission can continue for as long as seven weeks after a patient's recovery.<sup>3</sup> Therefore we urge that your use of 8 U.S.C. 1182(f) cover any foreign national who was present in a country with widespread and intense transmission of Ebola within the two months prior to desired travel to the U.S. Such a travel restriction can and should be temporary, with the moratorium lifted when the Ebola outbreak in West Africa, and any other countries with a subsequent outbreak, is controlled.

We have listened with interest to the arguments articulated by officials within the Administration in opposition to a ban on travel from affected countries. Unfortunately, such arguments seem to have little, if any, merit. And a growing number of Americans agree. In fact an October 14, 2014, ABC News/Washington Post poll showed that 67% of Americans surveyed said they would support "restricting entry to the United States by people who've been in affected countries."

Use of 8 U.S.C. 1182(f) is not only reasonable at this point, but is prudent and necessary to help prevent additional Ebola cases in the U.S. It will also help begin to turn around Americans' large-scale lack of confidence that the Federal government is doing everything it can to protect them from Ebola.

Thank you for your immediate attention to this critical matter.

Sincerely,



Bob Goodlatte  
Chairman  
House Committee on the Judiciary



Trey Gowdy  
Chairman  
Subcommittee on Immigration and  
Border Security

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<sup>3</sup> *Id.*