

## **Section of Individual Rights and Responsibilities (Midyear Meeting 1986)**

The Section's second recommendation presented jointly with the Standing Committee on Law and National Security, was amended by the proponents and approved by voice vote. It reads:

BE IT RESOLVED, That the American Bar Association recommends that United States law concerning visa denials should conform to the following standard:

An alien invited to the United States to speak or otherwise participate in an exchange of ideas should not be denied a visa solely on the basis of past or current political beliefs or political associations or on the basis of the expected content of the person's statements in the United States.

However, this principle would not preclude visa denial or exclusion from admission of persons invited to the United States if their admission to the United States, their presence in the country, or activity in which the government believes they intend to engage, would harm the interests of the United States, including the foreign relations of the United States. This principle would also not preclude visa denials for the purpose of seeking reciprocity for the entry of Americans into a foreign country, nor the maintenance of the existing power of the President to deny entry to any aliens or class of aliens by proclamation, nor of the government to deny entry to aliens when the United States is at war or during the existence of a national emergency proclaimed by the President.

Adoption of this principle would require modification of 8 U.S.C. Section 1182(a)(28).