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October 4, 2017

The Honorable Elaine C. Duke  
Acting Secretary of Homeland Security  
500 12<sup>th</sup> Street, SW  
Washington, DC 20536

Dear Acting Secretary Duke:

On behalf of the American Academy of Pediatrics (AAP), a non-profit professional organization of 66,000 primary care pediatricians, pediatric medical subspecialists and pediatric surgical subspecialists, I write to seek clarification on the Department of Homeland Security (DHS)'s sensitive locations policy and to express concerns about adherence by U.S. Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) to this policy.

As detailed on the DHS [website](#), "...enforcement actions at or focused on sensitive locations such as schools, places of worship, and hospitals should generally be avoided, and such actions may only take place when (a) prior approval is obtained from an appropriate supervisory official, or (b) there are exigent circumstances necessitating immediate action without supervisory approval." The policy covers locations that include medical treatment and health care facilities, such as hospitals, doctors' offices, accredited health clinics, and emergency or urgent care facilities.

On September 20<sup>th</sup>, National Public Radio featured a [story](#) about Oscar and Irma Sanchez and their 2-month-old son Isaac with pyloric stenosis, a curable condition that required emergency surgery. The ordeal their family faced while their sick child was in and recovering from surgery is one no family should ever have to face. Health care facilities should be safe settings for immigrant children and families to access care<sup>i</sup>; school facilities should be safe settings for immigrant children to access education<sup>ii</sup>. Medical records, health care facilities, and school records and facilities should not be used in any immigration enforcement action.<sup>iii</sup>

As such, AAP supports policies that prohibit immigration enforcement actions at sensitive locations such as hospitals, health clinics, doctor's offices, and schools. We are hoping that you can provide clarification regarding the case of the Sanchez family as well as the DHS sensitive locations policy generally. In your view, do the actions of CBP in this case constitute a violation of DHS's sensitive locations policy? If not, can you explain why? How are violations of the DHS sensitive policy handled and were any disciplinary actions taken in relation to the Sanchez family's case? Do DHS, CBP or ICE condone immigration enforcement activities near sensitive locations such as hospitals, health clinics, doctor's offices, or schools?

The mission of the AAP is to protect the health and well-being of all children, no matter where they or their parents were born. As pediatricians, our primary responsibility is to support families in order to optimize child health. We strive to help

all children to grow, develop, and reach their full potential to contribute to our collective America.

Many immigrant children in the U.S. are the victims of unspeakable violence and have been exposed to trauma. Pediatricians remain concerned that recent federal actions related to immigration are taking a toll on the health and well-being of immigrant and refugee children in general. The pervasive fear, anxiety and trauma felt by immigrant communities will impact these children for years to come. When children are scared, it can impact their health and development. As children develop, their brains change in response to environments and experiences. Fear and stress, particularly prolonged exposure to serious stress – known as toxic stress – can harm the developing brain and harm short- and long-term health.

Many immigrant children live with a constant fear that they or their parents will be taken into custody or deported. The threat of arrest or deportation at a health care facility further exacerbates the fear immigrant families live with every day, causing immigrant children and families, including U.S. citizens, to avoid seeking needed health care. Additionally, without access to health care, immigrants and citizens that live in our communities and neighborhoods may develop more complex medical challenges, increasing costs to the healthcare system and U.S. taxpayers.

All children in this country should have access to health care. It is in the national interest that we work to ensure that all children within the United States, including immigrant children, grow up physically and developmentally healthy. The future prosperity and well-being of the U.S. depends on the health and vitality of all of its children, without exception.

DHS's sensitive locations policy helps to ensure that immigrant children and families can access health care and other needed services without fear of deportation. We hope you agree that immigration enforcement actions that violate the DHS sensitive locations policy pose a risk to the health and well-being of our nation's children and their families, including those who are U.S. citizens.

Thank you for your attention to this important issue. We look forward to your response.

Best,

A handwritten signature in black ink, appearing to read 'Fernando Stein', written over a horizontal line.

Fernando Stein, FAAP  
President

FS/mrc

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<sup>i</sup> Council on Community Pediatrics. Providing Care for Immigrant, Migrant, and Border Children. *Pediatrics*. 2013;131(6). Available at: [www.pediatrics.org/cgi/content/full/131/6/e2028](http://www.pediatrics.org/cgi/content/full/131/6/e2028).

<sup>ii</sup> Council on Community Pediatrics. Detention of Immigrant Children. *Pediatrics*. 2017; 139(5). Available at: <http://pediatrics.aappublications.org/content/139/5/e20170483>.

<sup>iii</sup> Ibid.