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August 30, 2019

The Honorable Kevin K. McAleenan
Acting Secretary, U.S. Department of Homeland Security
Washington, D.C. 20528

Kenneth T. Cuccinelli
Acting Director, U.S. Citizenship and Immigration Services
Washington, D.C. 20528

Dear Acting Secretary McAleenan and Acting Director Cuccinelli:

On behalf of the American Academy of Pediatrics (AAP), a non-profit professional organization of 67,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, we write to express our serious concern with the recent news that the U.S. Citizenship and Immigration Service (USCIS) will no longer accept or adjudicate non-military deferred action requests including those for children with deadly or debilitating diseases. We implore you to reverse this decision so that countless children and their families can continue to apply for deferred action. For some children, this is a matter of life and death.

The AAP greatly appreciates your past willingness to speak with us on matters such as the care and treatment of children in Customs and Border Protection custody. We write today with grave concerns about the ability of many of our patients to continue to receive treatment as well as the support of their parents while they are receiving medical care. We urge USCIS to resume consideration of deferred action requests for medical reasons and request more information about why this decision was made.

This impact of this decision on children is serious. One of my colleagues reports that a six-year-old girl from Central America who is blind as a result of eye cancer has been able to remain in the U.S. with her parents, receive medical treatment, and attend school because of the deferred action program. Another colleague describes a U.S. citizen teenager in her care who was diagnosed with a chronic illness and hospitalized for three months due to complications. He relied on his parents to take him to multiple appointments and be at his bedside while he recovered from his illness. Deferred action made that possible. This young man is now in college and hoping to become a physician.

We have written to your agency and spoken publicly and privately on numerous occasions about the short- and long-term harms to children's health that result from children being separated from their parents. This decision by USCIS would force U.S. citizen children with medical conditions to be separated from parents who may be deported from the U.S. even while their children are hospitalized and in our care. This is unacceptable and contrary to evidence-based recommendations.

While we urge you to reverse this decision immediately, we would also like to better understand how a decision this consequential for the health of children could be made with no

public input or opportunity for public consultation. What is the rationale for such a change? Did USCIS consult any experts in the medical care of children and families before making this decision? Why was this change in policy not done through rulemaking? Was the DHS Homeland Security Advisory Council consulted? What is Immigration and Customs Enforcement (ICE)'s role in adjudicating deferred action requests for medical reasons? What processes does ICE have in place to consider such requests? Are families being notified about how they can apply with ICE for deferred action?

If I or any of my colleagues can be of assistance in further explaining the devastating impact of this decision on children and families, please do not hesitate to contact me through Tamar Magarik Haro in our DC office at tharo@aap.org or by calling (202) 347-8600. We urge you to put children first and reverse this decision.

Sincerely,

A handwritten signature in black ink that reads "Kyle E. Yasuda, MD, FAAP". The signature is written in a cursive, slightly slanted style.

Kyle E. Yasuda, MD, FAAP
President