

United States Senate

WASHINGTON, DC 20510

March 4, 2020

President Trump
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President, Vice President Pence, and members of the President's Coronavirus Task Force:

We write to express deep and urgent concern regarding two key Department of Homeland Security (DHS) policies that will significantly threaten our ability to effectively respond to the novel coronavirus (COVID-19) outbreak. First, DHS must immediately stop all civil immigration enforcement activities occurring in or around public health departments, hospitals, medical clinics and centers, or coronavirus testing sites or laboratories. Second, DHS must also immediately confirm that any person seeking medical testing or treatment related to potential COVID-19 symptoms, regardless of their immigration status, will not be subjected to the "Inadmissibility on Public Charge Grounds" rule that was implemented February 24, 2020.

In light of the seriousness of the public health emergency we face, we need the cooperation of all agencies to facilitate a swift response, and the public charge rule impedes that response. We request an immediate moratorium on any enforcement-related actions at sensitive medical locations. We hope that you will agree that prioritizing medical care for people without fear of coming forward will be critical to slowing the spread of a deadly virus. Additionally, freeing medical experts to focus on patient wellbeing rather than disruptive civil immigration enforcement in their places of work is of critical importance. Our health care providers need support, rather than distractions, during a public health emergency.

Additionally, the so-called "public charge" rule implemented last week has been documented to deter people from receiving medical care and diagnostic testing when ill. According to studies, the chilling effect of the public charge rule will impact millions of people, many of whom are eligible to receive medical services under Medicaid, including emergency care.¹ We refer you to reports of families that are eligible for certain services un-enrolling from programs or cancelling appointments at community health clinics and more.²

¹ Jeanne Batalova, Michael Fix, and Mark Greenberg. "Millions Will Feel Chilling Effects of U.S. Public-Charge Rule that is also Likely to Reshape Legal Immigration." Migration Policy Institute. August, 2019. Accessed March 2, 2020. <https://www.migrationpolicy.org/news/chilling-effects-us-public-charge-rule-commentary>

² Jennifer Tolbert, Samantha Artiga, and Olivia Pham. "Impact of Shifting Immigration Policy on Medicaid Enrollment and Utilization of Care among Health Center Patients." Kaiser Family Foundation. October 15, 2019. Accessed March 2, 2020. <https://www.kff.org/406b1d4/>

Noting that this rule is counterproductive to millions of families coming forward with symptoms or signs of illness, we urge you to immediately suspend the implementation of the “Inadmissibility on Public Charge Grounds” rule and issue public notices that alleviate this fear and confusion. We appreciate your cooperation on this matter of putting the public’s health above agency policy and ensuring that all who may be impacted by this public health emergency are able to come forward for care.

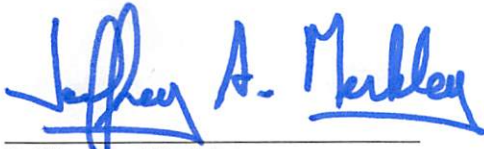
We cannot allow the fear this ill-considered rule creates to scare families away from getting the help that they may need if they come into contact with people with COVID-19 or become ill themselves. It is in the public’s interest that people are able to come forward free of fear of immigration authorities to mitigate the serious impacts of this public health emergency.

Thank you for your urgent attention to this matter. If you have any questions, please contact Elvia Montoya (202-224-8527) and Tara Stutsman (202-224-7657) in my office.

CC: Members of the President’s Coronavirus Task Force

Secretary Alex Azar, Department of Health and Human Services
Robert O’Brien, Assistant to the President for National Security Affairs
Dr. Robert Redfield, Director of the Centers for Disease Control and Prevention
Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health
Deputy Secretary Stephen Biegun, Department of State
Ken Cuccinelli, Acting Deputy Secretary, Department of Homeland Security
Joel Szabat, Acting Under Secretary for Policy, Department of Transportation
Matthew Pottinger, Assistant to the President and Deputy National Security Advisor
Rob Blair, Assistant to the President and Senior Advisor to the Chief of Staff
Joseph Grogan, Assistant to the President and Director of the Domestic Policy Council
Christopher Liddell, Assistant to the President and Deputy Chief of Staff for Policy Coordination
Derek Kan, Executive Associate Director, Office of Management and Budget

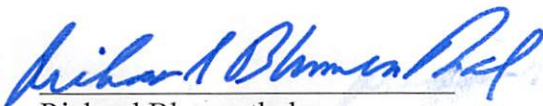
Sincerely,



Jeffrey A. Merkley
United States Senator




Bernard Sanders
United States Senator




Richard Blumenthal
United States Senator



Cory A. Booker
United States Senator




Elizabeth Warren
United States Senator




Jack Reed
United States Senator



Mazie K. Hirono
United States Senator



Kamala D. Harris
United States Senator



Patty Murray
United States Senator