

November 5, 2019

The Honorable Kevin McAleenan
Acting Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 20528

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Acting Secretary McAleenan and Secretary Azar:

Recent reports regarding the decision to withhold influenza vaccines from those in Customs and Border Protection (CBP) detention centers is cause for significant alarm. As physicians, we have seen the effects of flu infections in the strongest as well as the most vulnerable, and the outcomes can be devastating. Further, those within high concentration environments such as detention centers, regardless of the duration they are expected to remain, are by definition a vulnerable population, both to become infected and to experience life-threatening complications. Flu season has already begun in many parts of the country, so we write with urgency that without an amendment to this decision to allow migrants to receive the flu vaccine, many people, including those working at and living near CBP facilities, will be at an even higher risk than what is typical. Flu infections were responsible for at least 3 child deaths of children in federal custody during the 2018 flu season, which is 9 times the mortality incidence of the general pediatric population. In our professional medical opinion, this alarming mortality rate constitutes an emergency which threatens the safety of human lives, particularly of children.

In response to this emergency and the reality that CBP is unwilling to provide these immunizations in accordance with current, evidence-based standards to ensure the health of migrant children and families under its care, we are requesting immediate permission to access the CBP detention center in San Ysidro, California with at least 4 volunteer physicians licensed to practice medicine in the state of California. We will be providing 100 doses of the influenza vaccine in order to conduct a mobile flu vaccine clinic at no cost to the U.S. government or its agencies.

Children, the elderly, and pregnant women are among those at the highest risk of contracting the flu.¹ Influenza deaths typically occur at a rate of approximately 1 in 600,000 individuals. There have been 3 child deaths in CBP and DHS custody that were due to complications from the flu. Based on an estimated 200,000 children in federal custody in the past 2 years, this is 9 times higher than the expected death rate for this disease.

According to the Centers for Disease Control and Prevention (CDC), "the best way to prevent seasonal flu is to get vaccinated every year."² In addition to reducing the likelihood that vaccinated individuals become infected with the flu, flu vaccines help prevent outbreaks from spreading throughout communities and the nation as a whole. The CDC currently recommends that all individuals above the age of 6 months receive a flu vaccine by the end of October 2019 to protect against the disease for the current flu season.³ That deadline has now passed without any migrant families in CBP custody being immunized thus far. The American Academy of Pediatrics also recommends "routine influenza immunization of all children without medical contraindications, starting at 6 months of age."⁴ Furthermore, the U.S. Citizenship and

Immigration Services (USCIS) policy manual notes that the CDC requires that immigrants receive flu vaccines. ⁵

Flu is a preventable illness. CBP's largest detention center, located in McAllen, Texas, experienced a flu outbreak that affected nearly three dozen detainees, requiring operations to be temporarily stopped.⁶ Overcrowded conditions and lack of access to soap and hand sanitizer in CBP facilities contributes to the spread of the flu, which can spread to others "up to about 6 feet away."⁷ A recent investigation by the DHS Office of Inspector General, for example, found "serious overcrowding" in CBP's centers, and revealed that children at several facilities "had no access to showers," "limited access to a change of clothes," and had "limited space for medical isolation."⁸

In light of medical organization and CDC recommendations, in conjunction with these reported CBP detention center conditions, we implore you to allow our volunteer physicians to hold our requested influenza vaccine clinic. To provide this service to all within CBP custody following our initial "100 vaccinations" clinic, we have a plan to leverage an already established volunteer network of physicians with active licenses in all states to obtain the necessary vaccines and work with CBP to create a system to ensure that the majority of migrant families who are being held in CBP centers may receive the recommended vaccinations to prevent a possible flu epidemic.

Due to the urgency of this matter, we are requesting a response from your office by Tuesday, November 19, 2019. You may direct your response to Dr. Bonnie Arzuaga at bonniehope@gmail.com or Dr. Marie DeLuca at marie.deluca3@gmail.com.

Sincerely,



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- 1 Centers for Disease Control and Prevention, "People at High Risk for Flu Complications," <https://www.cdc.gov/flu/highrisk/index.htm>.
- 2 Centers for Disease Control and Prevention, "Prevent Seasonal Flu," <https://www.cdc.gov/tlu/prevent/index.html>.
- 3 Centers for Disease Control and Prevention, "Who Needs a Flu Vaccine and When," <https://www.cdc.gov/flu/prevent/vaccinations.htm>.
- 4 American Academy of Pediatrics, "Recommendations for Prevention and Control of Influenza in Children 2019-2020," August 2019, <https://pediatrics.aappublications.org/content/pediatrics/early/2019/08/129/peds.2019-2478.full.pdf>.
- 5 U.S. Citizenship and Immigration Services, "Chapter 9 - Vaccination Requirement," <https://www.uscis.gov/policy-manual/volume-8-part-b-chapter-9>; U.S. Citizenship and Immigration Services, "Vaccination Requirements," <https://www.uscis.gov/news/questions-and-answers/vaccination-requirements>
- 6 New York Times, "Flu Outbreak Prompts Largest Border Detention Center to Stop Processing Migrants," Manny Fernandez and Zolan Kanno-Youngs, May 22, 2019, <https://www.nytimes.com/2019/05/22/us/tlu-outbreak-border-detention-center.html>
- 7 Centers for Disease Control and Prevention, "How Flu Spreads," <https://www.cdc.gov/flu/about/disease/spread.htm>
- 8 U.S. Department of Homeland Security, Office of Inspector General, "Management Alert - OHS Needs to Address Dangerous Overcrowding and Prolonged Detention of Children and Adults in the Rio Grande Valley (Redacted)," July 2, 2019, pp. 3-6, <https://www.oig.dhs.gov/sites/default/files/assets/2019-07/OIG-19-51-Jul19.pdf>