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April 23, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20528

Inspector General Joseph Cuffari
Office of Inspector General
Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528-0305

Re: Request for Investigation into the Reported Mistreatment of Pregnant Women Seeking Asylum

Dear Acting Secretary Wolf and Inspector General Cuffari:

On behalf of our physician and medical student members, the American Medical Association (AMA) urges the U.S. Department of Homeland Security (DHS), Office of the Inspector General to investigate reports that pregnant women seeking asylum in the United States have been denied timely access to health care by U.S. Customs and Border Protection (CBP) Agents.¹ The AMA believes every individual, regardless of immigration status, deserves timely, accessible, quality health care. This belief is even more critical as the world battles the COVID-19 pandemic. Since by definition COVID-19 is novel, we are still learning about the effects of the virus on pregnant women and their unborn children.

Under current protocol, U.S. Immigration and Customs Enforcement (ICE) detention places unduly harsh conditions upon pregnant women resulting in increased health risks to the mother and baby. In December, the U.S. Government Accountability Office reported that the number of pregnant women detained by ICE increased by 152 percent, from 1,380 women in 2016 to 2,098 women in 2018.² With the number of detained pregnant asylum seekers increasing each year, the health of the mother and child should be the first priority of CBP Agents.

Our AMA recognizes the need for programs and staff training to address the distinctive health care requirements of detained women and adolescent females, including gynecological care and obstetrics care for pregnant and postpartum women. As such, our AMA urges DHS to ensure that it has comprehensive and medically appropriate policy surrounding maternal health and that it adequately trains its staff on the protocol and special needs of pregnant and postpartum women. Therefore, our AMA recommends that CBP do the following:

¹<https://www.wyden.senate.gov/imo/media/doc/020320%20Wyden%20Letter%20to%20CBP%20and%20ICE%20on%20Pregnant%20Migrants.pdf>

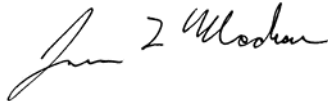
² <https://www.gao.gov/assets/710/703032.pdf>

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- Develop, adopt, and publish explicit policies that will ensure adequate, timely medical care for pregnant women in the agency's custody. Such policies should be developed in consultation with independent medical experts and rights stakeholders, and reflect best practices recommended by medical specialty societies;
- Assess whether CBP oversight and disciplinary mechanisms are sufficient to ensure that CBP officials are held accountable for all instances of detainee mistreatment or neglect and to ensure that dangerous, abusive, or otherwise unfit CBP employees are removed promptly from duty; and
- Refrain from detaining pregnant women during the COVID-19 pandemic.

Timely access to health care for pregnant women is a basic human right. As such, our AMA joins the growing chorus of stakeholders and Congress members in calling for the DHS Inspector General to investigate reports of mistreatment of pregnant women that are seeking asylum in the United States. Should you have any questions, please contact Jason Scull, Assistant Director, Federal Affairs, at jason.scull@ama-assn.org or 202-789-4580.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara". The signature is fluid and cursive, with a large initial "J" and "M".

James L. Madara, MD