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April 26, 2024

Hon. Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue,  
NW Washington, DC 20530

Hon. Alejandro N. Mayorkas  
Secretary  
U.S. Department of Homeland Security  
301 7th Street,  
SW Washington, DC 20528

Dear Attorney General Garland and Secretary Mayorkas,

**RE: Public Health Experts on “Security Bars and Processing,” DHS Docket No. USCIS 2020-0013**

We write to reiterate the call made by numerous leading public health and medical experts urging for the complete rescindment of the “[Security Bars and Processing rule](#)” that was issued by the previous administration in December 2020.

The rule, scheduled to take effect on December 31, 2024, would bar covered asylum seekers from refugee protection in the United States if they have transited through or come from a country with a communicable disease or exhibit symptoms "consistent with" such disease. The vast array of covered diseases includes conditions that are not subject to U.S. quarantine laws, are treatable, and/or do not present risk of widespread public transmission. We and other medical and public health experts have previously detailed our concerns that the rule would undermine public health and further endanger people seeking protection in the United States. We have refuted the public health basis of the rule since it was first proposed ([August 6, 2020](#), [Feb 28, 2022](#), [February 27, 2023](#)) and we reiterate that public health does not and cannot justify this harmful and discriminatory policy.

Since President Biden took office, the Departments have repeatedly paused implementation of the rule – currently delayed to December 31, 2024. The presence of the rule lends credence to and risks advancing a long-standing agenda to misuse public health and perpetuate xenophobic tropes that falsely portray migrants as spreaders of disease. The rule undermines the credibility of public health practice and public health expertise in the United States, endangers the lives of people seeking humanitarian protection, and may be exploited by future administrations.

We urge DHS and DOJ to address these concerns by immediately and fully rescinding the “*Security Bars and Processing*” rule. Consistent with public health recommendations and practice, U.S. officials should be directed to use rational, evidence-based public health measures, as appropriate, to safeguard the health of the public and the lives of adults, families, and children seeking protection from persecution and torture.

Respectfully,\*

**Monette Zard**, MA, Allan Rosenfield Associate Professor of Forced Migration and Health, Director of the Forced Migration and Health Program, Heilbrunn Department of Population and Family Health, Columbia University Mailman School of Public Health

**Michele Heisler**, MD, MPA, Professor, Department of Internal Medicine, Health Behavior and Health Education, University of Michigan School of Public Health

**Ron Waldman**, MD, MPH, Professor Emeritus of Global Health, Milken Institute School of Public Health, The George Washington University, and President and Chair of the Board of Directors, Doctors of the World - USA

**Paul B. Spiegel**, MD, MPH, Professor of Practice, Johns Hopkins Bloomberg School of Public Health; Director, Center for Humanitarian Health

*\* Institutional affiliation is provided for identification purposes only and does not constitute institutional endorsement.*



U.S. Citizenship  
and Immigration  
Services

June 3, 2024

Monette Zard  
Director of the Forced Migration and Health Program  
Columbia University Mailman School of Public Health  
Mz2621@cumc.columbia.edu

Dear Director Zard:

Thank you for your April 26, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of DHS.

We appreciate your request to DHS and the Department of Justice to rescind the Security Bars and Processing final rule, 85 Fed. Reg. 84160 (Dec. 23, 2020). As your letter notes, this rule has not taken effect and its effective date was delayed until December 31, 2024. *See* 87 Fed. Reg. 79789 (Dec. 28, 2022). As stated in the current Fall 2023 Unified Agenda of Regulatory and Deregulatory Actions posted by the Office of Management and Budget at <https://www.reginfo.gov/public/>, DHS plans to publish a notice of proposed rulemaking, entitled, "Asylum Eligibility and Public Health," RIN: 1615-AC57, proposing modifications or a withdrawal of the December 23, 2020 rule. Please refer to the upcoming Spring 2024 Unified Agenda for updates. Any future rulemaking action will be announced on the USCIS website and published in the Federal Register.

Thank you again for your letter and interest in this important issue. Please share this response with the other individuals who cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ur M. Jaddou". The signature is written in a cursive style with a long horizontal line extending to the right.

Ur M. Jaddou  
Director