

# United States Senate

WASHINGTON, DC 20510

February 08, 2017

The Honorable Tom Price  
Secretary-designate of Health and Human Services  
1211 Longworth House Office Building  
Washington, DC 20515

Dear Congressman Price:

We write to request information on how, if confirmed as Secretary of the Department of Health and Human Services (HHS), you would address President Trump's January 27, 2017, Executive Order that appears to follow through on his promise to ban Muslims from entering the United States and severely restrict refugee admissions. This action is xenophobic, inhumane, and un-American. At a time when too many of our communities continue to face serious gaps in access to medical care, President Trump's Executive Order will impact families nationwide by delaying lifesaving scientific breakthroughs and depleting our health care workforce.

On Friday, January 27, President Trump signed an Executive Order entitled "*Protecting the Nation from Foreign Terrorist Entry into the United States*" that temporarily halts most immigrants and other travelers from seven Muslim-majority countries from entering the United States, temporarily suspends all refugee admissions, and indefinitely suspends the admission of Syrian refugees. While we are pleased a Federal Court has temporarily halted implementation of this Executive Order, we are troubled that President Trump's administration continues to fight the Court's decision. We agree there are people in this world who wish to enter the United States to cause harm and, of course, we should work to keep those specific people out. Within hours of the Executive Order, however, a Cleveland Clinic physician who was born and raised in Saudi Arabia, but holding a Sudanese passport, was refused entry to the United States at the John F. Kennedy Airport and was advised by Customs and Border Protection (CBP) to turn around and leave the country.<sup>1</sup> Her plane departed only moments before a Federal Judge ordered CBP to stop this practice. She was unable to return to the country until February 6<sup>th</sup>. An award-winning genomics researcher with a new research position at Brigham and Women's Hospital was barred from flying from Switzerland to the United States to begin the new job, simply because she is Iranian.<sup>2</sup>

Soon after the order was signed, the Cleveland Clinic released a statement saying, "Recent immigration action taken by the White House has caused a great deal of uncertainty and has

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<sup>1</sup> Ornstein, Charles, "Hours After Landing in U.S., Cleveland Clinic Doctor Forced to Leave by Trump's Order," *ProPublica* (January 29, 2017) (<https://www.propublica.org/article/cleveland-clinic-doctor-forced-to-leave-country-after-trump-order>).

<sup>2</sup> Kliff, Sarah, "'But I have a valid visa': an Iranian researcher barred from flying to US for new job," *Vox* (January 28, 2017) (<http://www.vox.com/2017/1/28/14426586/iranian-researcher-barred-us>)

impacted some of our employees who are traveling overseas. We deeply care about all of our employees and are fully committed to the safe return of those who have been affected by this action.”<sup>3</sup> Many other organizations expressed similar concerns. The American College of Physicians (ACP) expressed concern that many more physicians and medical students will face similarly harsh treatment.<sup>4</sup> The President and Chief Executive Officer of the Mayo Clinic said, “Although questions remain about the order’s implementation, Mayo Clinic remains steadfast in supporting our patients, staff, families, and community. Each year, we welcome thousands of visitors from across the globe, many of whom receive care from our incredibly talented and diverse team members. We value our international staff and partners, and are privileged to train a broad range of medical personnel from around the world.”<sup>5</sup> A letter to the editor posted on the academic journal *Nature*’s website, signed by executives from the biotech industry, said, “Our colleagues who are here on visas or are in global outposts are now fearful and uncertain of their status. If this misguided policy is not reversed, America is at risk of losing its leadership position in one of the most important sectors, one that will shape the world in the twenty-first century.”<sup>6</sup>

Our country draws on the intellectual capacity and expertise of foreign-born medical providers and scientists to strengthen our health care system and conduct public health and biomedical research. According to a petition signed by 51 Nobel Laureates, more than 27,000 academic supporters, more than 20,000 United States faculty members, and 572 members of the National Academies of Sciences, Engineering, and Arts opposing the Executive Order, more than 3,000 students from Iran alone received research doctorates from American universities in the past three years.<sup>7</sup> It is also estimated that a quarter of practicing physicians are graduates of foreign medical schools, and 17 percent of current trainees are from foreign countries.<sup>8</sup> The American Association of Medical Colleges (AAMC) believes there are more than 1,000 applications to American medical residencies and fellowships from applicants who are not United States citizens and are from one of the seven affected countries. According to the AAMC, in the last decade alone, nearly 10,000 medical graduates who trained on a J-1 visa helped fill physician demand in rural and urban underserved communities.<sup>9</sup>

Our country’s ethnic and religious diversity is one of its greatest strengths, and this diversity has made our health care workforce preeminent in the world. This Executive Order harms that workforce and the thousands of patients it serves by restricting access at a time when we face

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<sup>3</sup> Cleveland Clinic, “Statement on White House Immigration Action” (January 29, 2017) (<https://newsroom.clevelandclinic.org/2017/01/29/statement-white-house-immigration-action/>).

<sup>4</sup> Diamond, Dan, “Trump’s travel ban alarms health care leaders,” *Politico* (January 30, 2017) (<http://www.politico.com/tipsheets/politico-pulse/2017/01/trumps-travel-ban-alarms-health-care-leaders-218471>).

<sup>5</sup> Mayo Clinic, “Statement from Mayo Clinic President and CEO on travel ban,” (January 29, 2017) (<http://newsnetwork.mayoclinic.org/discussion/statement-from-mayo-clinic-president-and-ceo-on-middle-east-travel-ban/>).

<sup>6</sup> Nature Biotechnology, “US immigration order strikes against biotech,” (February 7, 2017) (<http://blogs.nature.com/tradesevents/2017/02/07/us-immigration-order-strikes-against-biotech>).

<sup>7</sup> Academics Against Immigration Executive Order (January 30, 2017) (<https://notoimmigrationban.com>).

<sup>8</sup> Diamond, Dan, “Trump’s travel ban alarms health care leaders,” *Politico* (January 30, 2017) (<http://www.politico.com/tipsheets/politico-pulse/2017/01/trumps-travel-ban-alarms-health-care-leaders-218471>).

<sup>9</sup> Association of American Medical Colleges, AAMC Statement on President Trump’s Executive Order on Immigration (January 30, 2017) (<https://news.aamc.org/press-releases/article/executive-order-immigration-013017/>).



serious physician shortages in primary and specialty care.<sup>10</sup> In addition, research associations, such as the American Association for the Advancement of Science, note that this measure “compromises the United States’ ability to attract international scientific talent and maintain scientific and economic leadership,” discouraging international students from coming to the United States to study and from participating in a health care workforce with significant shortages.<sup>11</sup>

This Executive Order only adds to the chaos created by President Trump’s Executive Order on the *Affordable Care Act* and the Administration’s blackout on outreach efforts to help families get affordable health insurance. This apparent Muslim ban introduces a new and frightening dimension to Trumpcare: one in which the United States is less able to attract the best and brightest health care providers and researchers.

If you are confirmed as HHS Secretary, you will be responsible for policies that strengthen the nation’s health care and research workforces. We therefore write to request information on your planned approach to these critical challenges.

To help us better understand how you plan to respond to the effect of President Trump’s Executive Order that halts immigration and refugee resettlement to the United States from seven Muslim-majority countries, please respond to the following questions:

1. What steps would you take as Secretary of HHS to ensure that the health care and research workforce, including providers and researchers from the seven Muslim-majority countries included in the Executive Order, can continue operating as needed within the United States and abroad to protect public health and treat, research, and prevent disease?
  - a. What steps would you recommend to mitigate the effects of the 120-day temporary suspension of the entire U.S. Refugee Admissions Program on the health care and research workforce?
  - b. What steps would you recommend to mitigate the effects of the indefinite suspension of resettlement of Syrian refugees to the United States on the health care and research workforce?
  - c. What steps would you recommend to mitigate the effects of the 90-day suspension of travel to the United States for citizens from Syria, Iraq, Iran, Libya, Somalia, Sudan, and Yemen on the health care and research workforce?
2. How would you ensure that HHS maintains its partnerships with international health care organizations and foreign nation’s health care agencies?
3. How would you ensure that President Trump’s Executive Order does not hamper ongoing health and medical research, including research being conducted in partnership with international institutions?
4. How would you ensure that President Trump’s Executive Order does not further contribute to the physician shortage in underserved urban and rural communities across the nation?

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<sup>10</sup> Association of American Medical Colleges, New Research Confirms Looming Physician Shortage (April 15, 2016) ([https://www.aamc.org/newsroom/newsreleases/458074/2016\\_workforce\\_projections\\_04052016.html](https://www.aamc.org/newsroom/newsreleases/458074/2016_workforce_projections_04052016.html)).

<sup>11</sup> American Association for the Advancement of Science, AAAS CEO Responds to Trump Immigration and Visa Order (January 28, 2017) (<http://www.aaas.org/news/aaas-ceo-responds-trump-immigration-and-visa-order>).

5. Much of the attention regarding President Trump's Executive Order has been on the seven identified countries, but Section 4 could affect foreign nationals from any country who seek to renew their visas, making the long-term impact of the Executive Order much broader. What impact would this have on the health care workforce and what would you do to ensure that teaching hospitals and research institutions continue to be able to recruit talented providers from around the world?
6. It has been reported that senior officials from other agencies have requested the President, Secretary of State, and Secretary of Homeland Security specify it is in the national interest for certain visa holders to be granted a waiver under Section 3(g) of the Executive Order.<sup>12</sup> Given the unintended consequences of this ill-conceived executive action that will exacerbate the shortages in the health care workforce and wreak havoc on scientists who research the prevention and treatment of disease, do you plan to make a similar request related to students, residents, fellows, and other health care workers and scientists from the seven Muslim-majority nations included in the Executive Order?

We look forward to receiving your written responses in advance of the Senate's vote on your nomination to be Secretary of HHS.

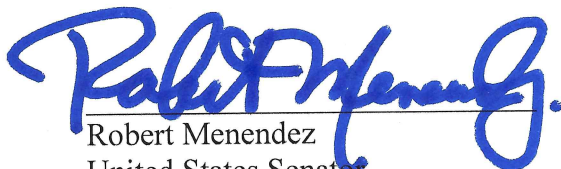
Sincerely,



Patty Murray  
United States Senator



Ron Wyden  
United States Senator



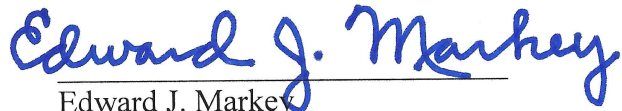
Robert Menendez  
United States Senator



Thomas R. Carper  
United States Senator

<sup>12</sup> Paul McLeary, Molly O'Toole, Kavitha Surana, "Pentagon scrambles to make exception for Iraqi translators," *Foreign Policy* (January 30, 2017) (<http://foreignpolicy.com/2017/01/30/pentagon-scrambles-to-make-exception-for-iraqi-translators/>).

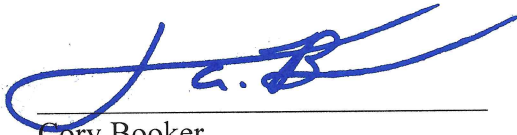




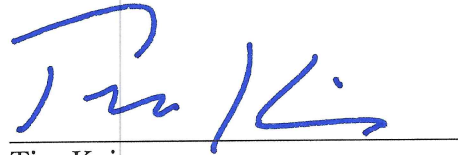
Edward J. Markey  
United States Senator



Richard Blumenthal  
United States Senator



Cory Booker  
United States Senator



Tim Kaine  
United States Senator



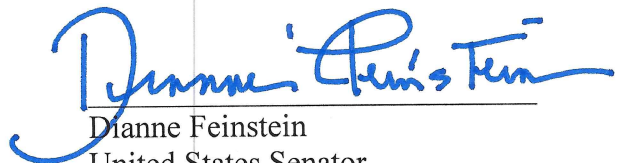
Sheldon Whitehouse  
United States Senator



Kirsten Gillibrand  
United States Senator



Tammy Baldwin  
United States Senator



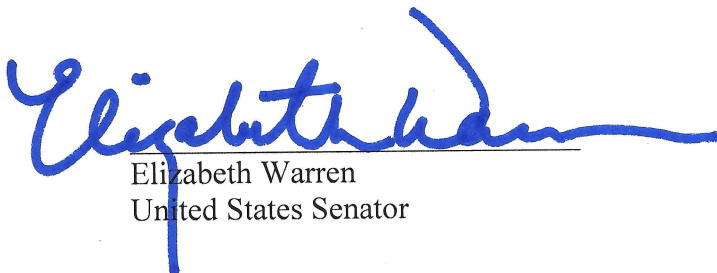
Dianne Feinstein  
United States Senator



Al Franken  
United States Senator



Robert P. Casey, Jr.  
United States Senator



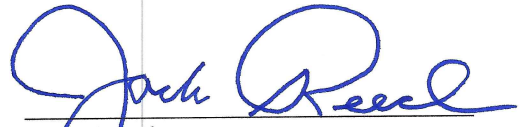
Elizabeth Warren  
United States Senator



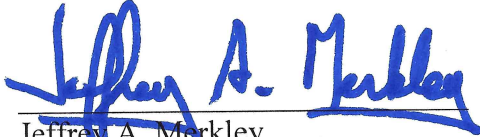
Maria Cantwell  
United States Senator



Bernard Sanders  
United States Senator



Jack Reed  
United States Senator



Jeffrey A. Merkley  
United States Senator



Christopher A. Coons  
United States Senator



Amy Klobuchar  
United States Senator



Richard J. Durbin  
United States Senator