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This comment is submitted on behalf of the Center of Excellence for Immigrant Child Health and Wellbeing at UCSF Benioff Children's Hospitals in opposition to the Joint Notice of Proposed Rulemaking (NPRM): Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review; RIN 1615-AC42/1125-AA94/EOIR Docket No. 18-0002/A.G. Order No. 4714-2020 published in the Federal Register on June 15, 2020.

The Center of Excellence for Immigrant Child Health & Wellbeing at UCSF Benioff Children's Hospitals believes that all children and their families have the human right to healthy and prosperous lives. In our daily work as medical and mental health providers we serve children and families that have endured severe violence and trauma. They flee their home countries because it is their only option in escaping violence and persecution.

We strongly oppose this proposed rule and demand that it be withdrawn. The proposed rule will ultimately jeopardize the safety and well-being of immigrant children by increasing the barriers to their right to seek asylum and does not center the best interest of the child. This will result in many children being returned to conditions of persecution in violation of the basic principles of child welfare and international agreements on the protection of children.

The proposed rule violates immigration laws enacted by Congress and contained in international treaties. The U.S. has an obligation to consider and assess those who are fleeing prosecution. People crossing between ports of entry are eligible for asylum according to the Refugee Convention and U.S. asylum law. Even those seeking asylum after unauthorized border crossing are protected according to the 1967 Refugee Protocol, which the United States has ratified, if they are fleeing persecution. And while not ratified, the U.S. is a signatory of the Convention on the Rights of the Child which states that a child's best interests must be considered in every decision affecting that child, including a child's health and safety. The U.S. is already enacting barriers to entry with practices such as metering and has summarily stopped accepting even unaccompanied children during the COVID-19 pandemic. This rule only serves to further violate our obligations and put children in harm's way.

The asylum process is a path to protection for children, a particularly vulnerable group, who have endured serious trauma from various forms of violence and persecution. The medical professionals at our institution understand all too well the health implications of such trauma. Many of our patient are asylum seekers with devastating experiences and harm caused by gang-related violence, gender-based violence, abuse, and exploitation. These children and their families need protection and care, and the

asylum process is a legitimate way to seek safety and security, a future free from violence. This rule proposes to refuse protection to claims based on gender persecution and persecution related to resisting or opposing gang violence as well as enact arbitrary restriction such as spending 14 days in another country during an asylum seeker's voyage. This does not serve in the best interest of the child, and any child who faces any kind of persecution, violence, abuse or exploitation deserves a chance to seek protection with the proper legal counsel and with the full consideration of the legal system.

If enacted, children with well-founded fears of persecution will be returned to countries where they face great harm and even death. This new rule abandons asylum seekers and may force children into a cycle of violence that includes abuse, trafficking, and exploitation. Existing domestic and international refugee laws protecting the right to seek asylum are in place for a reason. The asylum process saves lives, it protects children. DOJ and DHS should immediately withdraw the proposed rule and instead dedicate their efforts to ensuring that individuals fleeing violence are granted full and fair access to asylum protections in the United States.