

**From:** [REDACTED]@state.gov>

**Sent:** Friday, April 24, 2020 6:23 PM

**To:** [REDACTED]  
[REDACTED]

**Cc:** [REDACTED]@state.gov; [REDACTED]

**Subject:** Question re asylum laws and policy

**Follow Up Flag:** Flag for follow up

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Good evening,

As you know, your questions (to provide a detailed explanation of how the policy comports with domestic and international legal obligations towards asylum seekers) covers issues that have involved significant interagency coordination from the outset. After further interagency coordination on these questions, we understand that the Department of Homeland Security recently submitted to Congress the Administration's answers to these and other questions. Accordingly, we are forwarding the relevant information.

Stay well,  
[REDACTED]

**QUESTION: A detailed explanation of how this policy comports with domestic and international legal obligations towards asylum seekers.**

**RESPONSE:**

**Domestic Law Obligations:** 42 U.S.C. § 265 allows the Secretary of the Department of Health and Human Services ("HHS") to "prohibit, in whole or in part, the introduction of persons" into the United States to protect the public health of the United States. The Secretary of HHS has delegated this authority to the Director of CDC. Specifically, when introducing certain persons into the United States increases the risk of spreading communicable disease into and through the United States such that a suspension of their introduction "is required in the interest of the public health," the statute provides that the CDC Director may "prohibit, in whole or in part, the introduction of persons . . . from countries or places as he shall designate in order to avert [the spread of the disease within the United States], and for such period of time as he may deem necessary for such purpose."

Invoking this authority, the CDC Director suspended the introduction of all persons who would need to be held in congregate settings at land Ports of Entry ("POEs") or Border Patrol stations at or near the United States border with Canada or Mexico. The Director determined

