



AMERICAN COLLEGE OF PHYSICIANS
INTERNAL MEDICINE | *Doctors for Adults*

College writes to Secretary Michael Chertoff, US Department of Homeland Security, in support of health workers who fulfill ethical obligations in times of armed conflict

March 7, 2008

Secretary Michael Chertoff
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

I am writing on behalf of the 125,000 members of the American College of Physicians (ACP), the nation's largest medical specialty society, to express our deep concern about the Department of Homeland Security's opposition to granting asylum to health workers based on their provision of medical care to rebel troops.

As stated in the ACP Ethics Manual "By history, tradition, and professional oath, physicians have a moral obligation to provide care for ill persons...A physician may not discriminate against a class or category of patients." Health care workers serving sick and wounded independent of nationality or political affiliation during wartime, clearly demonstrate the principles of primacy of patient welfare, autonomy and social justice. We fear that the Department of Homeland Security in not granting asylum to health workers in recent years, fails to understand these ethical principles. Further, this appears to be in violation of the Geneva Convention, which clearly states that fulfillment of the obligation to care for the wounded and the sick should not affect one's legal status.

Health professionals must be permitted to fulfill their ethical obligations. Like Physicians for Human Rights, we applaud these health workers for upholding those duties. As physicians, we are obligated by our ethics code to promote health and human rights. Therefore, we strongly urge you to reconsider your interpretation of the Immigration and Nationality Act [8 U.S.C. 1182 [a][3][B][iv][VI]]. We support an amendment of the Act to the language identified in bold below:

As used in this chapter, the term "engage in terrorist activity" means, in an individual capacity or as a member of an organization -

(VI) to commit an act **other than an act carried out to fulfill medical ethics obligations** that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training –[to a terrorist or terrorist organization].

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The ACP believes that compliance with this interpretation of the Act and this amendment to reflect the intended interpretation would benefit not only all health workers, but all Americans.

Respectfully,

David C. Dale, MD, FACP
President
American College of Physicians