

Congress of the United States
Washington, DC 20515

November 13, 2023

The Honorable Joseph R. Biden Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20200

Dear President Biden,

We write to request the swift finalization of the proposed rule to expand health coverage for those participating in the Deferred Action for Childhood Arrivals (DACA) program, crime victims, and immigrant children, as any further delays will prevent countless families from accessing the health care they deserve.

In April 2023, the Department of Health and Human Services (HHS) proposed a regulation to make DACA recipients eligible for coverage under Medicaid, the Affordable Care Act (ACA), and the Children's Health Insurance Program (CHIP). This rule also enhances coverage for other groups, including those approved for Special Immigrant Juvenile (SIJ) status and children applying for humanitarian relief.

If this rule is not soon finalized, individuals in need may not be able to fully benefit from the 2024 Affordable Care Act open enrollment period, which began on November 1, 2023. In the proposed rule, HHS wisely selected this same day for the proposed implementation, allowing newly eligible individuals to benefit from the extensive outreach and enrollment resources dedicated to open enrollment.

DACA recipients are disproportionately from communities of color. DACA recipients are also disproportionately uninsured, and tend to experience higher barriers to health care – these trends all contribute to racial health disparities in the U.S. Youth approved for Special Immigrant Juvenile (SIJ) status often have to wait years before receiving a status adjustment. Due to confusion around current rule implementation, access to health coverage has been delayed for many.

For additional transparency into the rulemaking process, we also request you address the following questions:

1. What is preventing HHS from finalizing the rule, and how can congressional allies help address any barriers?

2. When the rule is finalized, what resources will your administration devote to ensuring newly eligible people are aware of their health coverage options?

The preamble of the proposed rule stated, “implementation of these changes would be most effective during a period when there are many outreach and enrollment activities occurring.” The time to finalize this policy and expand health coverage is now.

We look forward to receiving your response by November 30, 2023.

Sincerely,



Barbara Lee
Member of Congress




Joaquin Castro
Member of Congress



Pramila Jayapal
Ranking Member
Subcommittee on
Immigration Integrity,
Security, and Enforcement



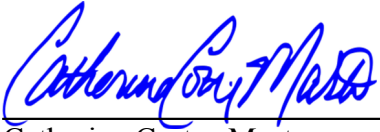
Cory A. Booker
United States Senator



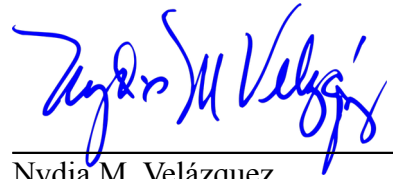
Mazie K. Hirono
United States Senator



Richard J. Durbin
United States Senator



Catherine Cortez Masto
United States Senator



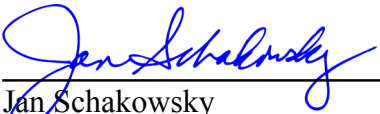
Nydia M. Velázquez
Member of Congress



Dwight Evans
Member of Congress



Gwen S. Moore
Member of Congress



Jan Schakowsky
Member of Congress



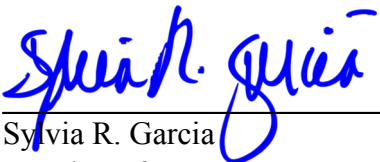
Frederica S. Wilson
Member of Congress



Donald M. Payne, Jr.
Member of Congress



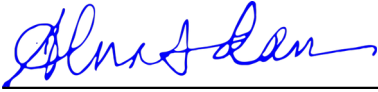
Katie Porter
Member of Congress



Sylvia R. Garcia
Member of Congress



Adriano Espaillat
Member of Congress



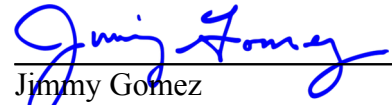
Alma S. Adams, Ph.D.
Member of Congress



Yvette D. Clarke
Member of Congress



Juan Vargas
Member of Congress



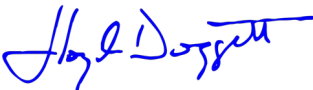
Jimmy Gomez
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Eleanor Holmes Norton
Member of Congress



Lloyd Doggett
Member of Congress



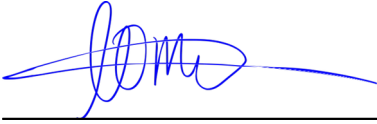
Raúl M. Grijalva
Member of Congress



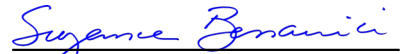
Eric Swalwell
Member of Congress



Earl Blumenauer
Member of Congress



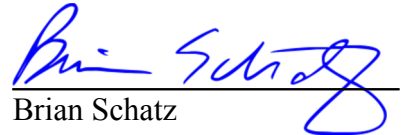
Ilhan Omar
Member of Congress



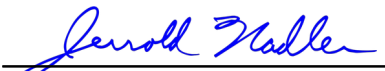
Suzanne Bonamici
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Tim Kaine
United States Senator



Brian Schatz
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Ferrol Nadler
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Kathy Castor
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Mark Pocan
Member of Congress




Bonnie Watson Coleman
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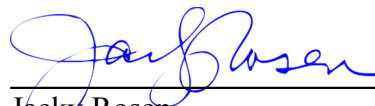
Jasmine Crockett
Member of Congress

/s/

Laphonza Butler
United States Senator



Donald S. Beyer Jr.
Member of Congress



Jacky Rosen
United States Senator



Ro Khanna
Member of Congress



Michael F. Bennet
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Nanette Diaz Barragán
Member of Congress



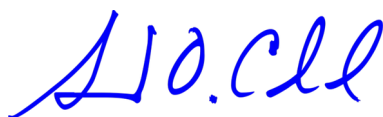
Dina Titus
Member of Congress



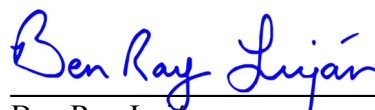
Nikema Williams
Member of Congress



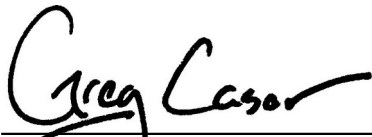
Chellie Pingree
Member of Congress



Salud Carbajal
Member of Congress



Ben Ray Lujan
United States Senator



Greg Casar
Member of Congress



David J. Trone
Member of Congress



Christopher S. Murphy
United States Senator



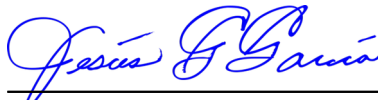
Judy Chu
Member of Congress



Delia C. Ramirez
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Mike Quigley
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Raul Ruiz, M.D.
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Terri A. Sewell
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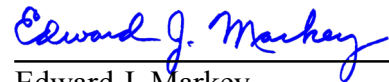
James P. McGovern
Member of Congress



Zoe Lofgren
Member of Congress



Bill Foster
Member of Congress



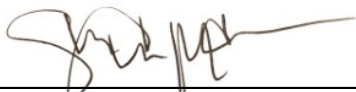
Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator




Melanie Stansbury
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



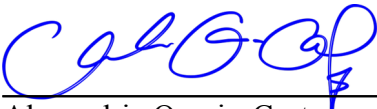
Rashida Tlaib
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Alexandria Ocasio-Cortez
Member of Congress



MARK TAKANO
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Benjamin L. Cardin
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Grace F. Napolitano
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Jason Crow
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Jamaal Bowman, Ed.D.
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Lauren Underwood
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Tony Cárdenas
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Joe Neguse

Joe Neguse
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Tammy Duckworth

Tammy Duckworth
United States Senator

Robert Menendez

Robert Menendez
United States Senator

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Lori Trahan
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Linda T. Sánchez

Linda T. Sánchez
Member of Congress

Morgan McGarvey

Morgan McGarvey
Member of Congress

Betty McCollum

Betty McCollum
Member of Congress

Jimmy Panetta

Jimmy Panetta
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Teresa Leger Fernández

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Dan Goldman
Member of Congress



Bernard Sanders
United States Senator



Veronica Escobar
Member of Congress



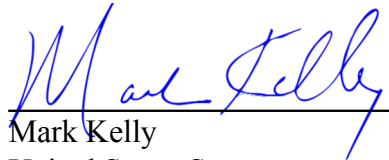
Maxine Waters
Member of Congress



Emanuel Cleaver, II
Member of Congress



Jeffrey A. Merkley
United States Senator



Mark Kelly
United States Senator



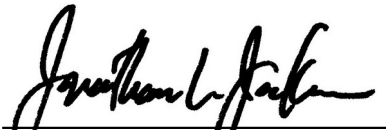
Robert J. Menendez
Member of Congress




Mark DeSaulnier
Member of Congress



Darren Soto
Member of Congress



Jonathan L. Jackson
Member of Congress



Alex Padilla
United States Senator