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June 16, 2021

The Honorable Alejandro Mayorkas

Secretary of Homeland Security

Washington, DC 20528

Dear Secretary Mayorkas,

On behalf of the GBS|CIDP Foundation, I respectfully ask the Customs and Border Patrol to reconsider their new policy and legal position that Mexican Nationals holding B1/B2 tourist visas no longer be admitted to the United States from Mexico if they are entering for the purpose of donating plasma.

The GBS|CIDP Foundation International is a nonprofit organization dedicated to support, education, research, and advocacy for patients and caregivers impacted by Guillain-Barre Syndrome (GBS), Chronic Demyelinating Polyneuropathy (CIDP), or variants of these conditions. These rare conditions affect the peripheral nervous system in debilitating ways. GBS, CIDP, and some variants are generally treated with intravenous immunoglobulin (IVIG). Patients with chronic conditions (CIDP and some variants) require IVIG treatments at approximately monthly intervals for a significant amount of time, sometimes for life. Immunoglobulin is a medicine created from source plasma. Plasma derived medicines, like IVIG, are non-interchangeable, unique, and lifesaving therapies that rely on the donations of source plasma from healthy volunteers.

The adoption of this Customs and Border Patrol position will severely affect the ability to collect source plasma that is used to manufacture the life-saving therapies derived from plasma, such as immunoglobulin. Source plasma collection has already been severely impacted by the COVID-19 pandemic, and this additional measure has the potential to further exacerbate difficulties in manufacturing therapies and lead to potential product shortages. People living with rare diseases such as GBS and CIDP are at great risk of not receiving their essential medications if such shortages occur.

Additionally, this Customs and Border Patrol position does not align with the Department of Homeland Security's Cyber Security & Infrastructure Security Agency memo during the height of the current pandemic that deemed plasma donors to be a part of the "essential critical infrastructure..."

[https://www.cisa.gov/sites/default/files/publications/ECIW\\_4.0\\_Guidance\\_on\\_Essential\\_Critical\\_Infrastructure\\_Workers\\_Final3\\_508\\_0.pdf](https://www.cisa.gov/sites/default/files/publications/ECIW_4.0_Guidance_on_Essential_Critical_Infrastructure_Workers_Final3_508_0.pdf)

Manufacturers of plasma-derived therapies operate plasma collection centers near the US border with Mexico. A number of the donors at these border centers are citizens of Mexico who enter the United States on B1/B2 tourist visas, donate plasma sometime during their visit, and return to Mexico. These donors, as well as all donors throughout the United States, are compensated a modest fee that is provided to the donors for their time commitment (roughly 90-120 minutes). However, such compensation does not constitute labor and is definitely not employment.

I kindly urge you to revoke this policy, or at the minimum, delay this policy until such time that the legal uncertainty over donor compensation has been rectified.

Thank you for your consideration,



Lisa Butler

Executive Director

GBS|CIDP Foundation International