

February 17, 2021

The Honorable Mike Lee
U.S. Senate
Washington, D.C. 20510

Dear Senator Lee:

On behalf of First Focus Campaign for Children, which is dedicated to improving the lives and well-being of children in this country, I am writing to respectfully express our opposition to S.J.Res. 7, which would overturn the Minor Consent for Vaccinations Amendment Act of 2020 (D.C. Act 23–532).

The law, which was passed by the D.C. Council by a 12-1 vote, recognizes that there are rare instances where children have a fundamental right to seek out and receive medical treatment to affirmatively protect their own personal health.

In the case of vaccinations that prevent the spread of communicable diseases, D.C.'s law would allow an adolescent to, in consultation with a physician, protect receive an immunization in those rare instances that a parent or caregiver refuses or fails to provide for such care and treatment. Beyond their own health, the law effectively allows young people to help stop the spread of preventable diseases to others in their community. Young people, just like every other person in this country, should have the right to seek out and protect themselves, their friends, their families, their teachers, and their communities from potentially fatal diseases that can be prevented by immunizations.

Councilmember Cheh's bill was originally drafted in response to the measles outbreaks across the country in communities where parents were opting not to vaccinate their children with proven and safe vaccines. Despite the fact that measles was declared eliminated in the U.S. two decades ago, there have been recent surges in vaccine-preventable measles and other diseases in recent years because of misinformation. To prevent harm to a child against their will, Chen's bill would allow adolescents to protect themselves and others in the community from life-threatening communicable diseases, including measles, rubella, HPV, polio, rubella, tetanus, mumps, hepatitis, influenza, pneumonia, meningitis, and COVID-19.

In the vast majority of cases, children and their parents or other caregivers are aligned on what children need for their healthy growth and development, and it is the role of the government to help support children and their families to ensure that they have access to what they need for children's health, including reliable and accurate information regarding vaccinations. However, in some rare instances, children in this country count on and need protection *from* parents and government, particularly when unfounded and dangerous misinformation result in threats to the health and safety of children and the community at large. In those instances, professionals with expertise in child health and safety are best able to ensure that children have access to the support they need, as Councilmember Cheh's bill does by ensuring that children's decision to access life-saving vaccinations are made in consultation with a physician.

To protect the health and safety of children and communities against communicable diseases, government can intervene and enforce an array of options, including vaccine mandates, quarantines, bans on children attending school or accessing child care if they are not immunized, the denial of benefits like the Child Tax Credit if families are not compliant, or they can take less intrusive steps like public information campaigns and allowing young people to affirmatively protect themselves and their communities. D.C.'s law is less

invasive than other measures and it respects the fact that children are human beings, who like every other person in this country, have a right to pursue better health and life-saving medical care.

Young people have voice and agency, including regarding health care decisions about their bodies, their lives, and their well-being. Families should be supported in ensuring that their children's perspectives and needs are heard when making decisions about their health and well-being. But in the rare instance where there is a dispute and young people believe it is in their own best interest to seek medical care, young people should be able to seek out the help of medical professionals regarding what is best for their health.

Children have fundamental rights, particularly when it comes to their own bodies and lives. Councilmember Cheh's bill recognized this fact and the D.C. Council rightfully considered the bill and overwhelmingly approved it.

Consequently, we oppose S.J.Res. 7 and urge you to refrain from seeking to overturn the Minor Consent for Vaccinations Amendment Act of 2020. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Bruce Lesley". The signature is written in a cursive, slightly slanted style.

Bruce Lesley
President

xc: Cosponsors of S.J.Res. 7