



November 12, 2019

*Submitted via [www.regulations.gov](http://www.regulations.gov)*

Megan Herndon  
Deputy Director for Legal Affairs  
Visa Services, Bureau of Consular Affairs  
Department of State  
600 19th St NW  
Washington, DC 20006

**RE: Interim Final Rule: Visas: Ineligibility Based on Public Charge Grounds RIN: 1400-AE87**

Dear Ms. Herndon:

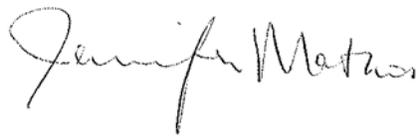
Thank you for the opportunity to comment on the Department of State's (DOS)'s interim final rule, "Visas: Ineligibility Based on Public Charge Grounds." The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Non-citizens with any type of disability should have a fair opportunity to seek a visa without facing unnecessary or discriminatory restrictions based on their disability. The rule restructures visa eligibility in a way that is detrimental to individuals based on their disability and the use of vital programs like Medicaid. CCD strongly opposes this rule, because it discriminates against with disabilities and their families, among others. **We urge the Department to withdraw the rule in its entirety.**

Last year, we submitted the attached comments on a proposed public charge rule from the Department of Homeland Security (DHS). We understand that the DOS Interim Final Rule is intended to align the Department's standards with those of DHS. Because the DOS rule is intended to mirror the DHS rule, our objections to the DHS rule are relevant and applicable. **We request that the Department read and consider the attached comments as part of the administrative record.**

As you are aware, five federal courts have found a likelihood of success on the merits for claims that the DHS rule violates the Administrative Procedures Act and is contrary to law, with two of those decisions specifically finding that the rule likely discriminates on the basis of disability. DOS should not rely on the enjoined DHS regulation to justify its actions, when multiple courts have found that its interpretation is likely unlawful. So long as the DHS rule is enjoined, the Department's principal justification for issuing the interim final rule fails. Moving forward with implementation would conflict with the Department's stated goal of alignment with DHS. We urge the Department to withdraw this Interim Final Rule.

Sincerely,



Jennifer Mathis  
Bazelon Center for Mental Health Law



Kelly Buckland  
National Council on Independent Living



Samantha Crane  
Autistic Self-Advocacy Network

Co-Chairs  
CCD Rights Task Force