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Samantha Deshommes
Chief, Regulatory Coordination Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue NW
Washington, DC 20529-2140

RE: DHS Docket No. USCIS-2010-0012, RIN 1615-AA22, Comments in Response to Proposed Rulemaking on Inadmissibility on Public Charge Grounds

Dear Ms. Deshommes:

The National Down Syndrome Congress (NDSC) is the country's oldest national organization for people with Down syndrome, their families, and the professionals who work with them. We provide information, advocacy and support concerning all aspects of life for individuals with Down syndrome, and work to create a national climate in which all people will recognize and embrace the value and dignity of people with Down syndrome. Every year, NDSC hosts the NDSC Annual Convention, the world's largest conference for people with Down syndrome and their families, that draws thousands of attendees domestically and internationally. For many individuals with Down syndrome and their families, the information and resources they obtain from the NDSC Convention vastly improve their quality of life and opportunities. In recent years, we have had thousands of attendees from Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, the Dominican Republic, Ecuador, Guatemala, Kenya, Kyrgyzstan, Kuwait, Mexico, Nigeria, Pakistan, Panama, Peru, Puerto Rico, Saudi Arabia, South Africa, Spain, Switzerland, Thailand, Trinidad & Tobago, the United Kingdom and Venezuela. All of these attendees – individuals with Down syndrome and their family members - enter the United States legally on travel visas.

On October 10, the U.S. Department of Homeland Security announced an expansion of the "public charge" rule. This proposed rule would amend the standards for when a person may be considered a "public charge", which would make it significantly harder for people with disabilities to enter the U.S., immigrate to the U.S. or to become legal permanent residents.

Under current law, non-citizens can be denied entry to the U.S. and deemed to be a "public charge" if they are likely to use cash benefits like Social Security Income (SSI) or Temporary Assistance for Needy Families (TANF), or if they live in an institution. The proposed new rule vastly expands the list of

programs and benefits that would be disqualifying for entry into or permanent legal status in the U.S. in that it would consider a person's receipt of Medicaid (including Medicaid Long Term Services & Supports), Supplemental Nutrition Assistance Program (SNAP), Section 8 Housing Vouchers and more. It would also heavily weight other factors such as health, income, level of education and employment status. Considering these factors will mean that large numbers of immigrants with disabilities – including Down syndrome – could be denied entry to the U.S. or denied a green card for permanent residence. A further concern is that these new regulations will lead many people with disabilities to disenroll from or avoid applying for needed healthcare, housing and other benefits for fear that their families will be flagged and separated.

NDSC believes that an expanded scope of the “public charge” rule may have unintended consequences for individuals with Down syndrome and other disabilities. For example, a family seeking a visa for entry for a medical procedure or an educational conference could be denied solely on the basis of having a child with Down syndrome or another disability. Additionally, families wishing to immigrate to, or become permanent residents of, the United States may be denied because one member of the family has a disability. The expansion of the public charge rule assumes that the lives of people with Down syndrome and other disabilities are less valuable to our society, and the rule seems to ignore the significant contributions of people with Down syndrome. Therefore, we urge that the proposed rule be withdrawn in its entirety.

NDSC appreciates the opportunity to provide this input. Please contact Heather Sachs, NDSC Policy & Advocacy Director, with any questions at heather@ndscenter.org.

Sincerely,



David Tolleson
NDSC Executive Director



Heather Sachs
NDSC Policy & Advocacy Director