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**Grace Meng**

**Congress of the United States**

**Sixth District, New York**

November 30, 2018

The Honorable Kirstjen M. Nielsen  
Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528

Dear Secretary Nielsen:

I write to request the withdrawal of the proposed rulemaking entitled “Inadmissibility on Public Charge Grounds” published in the Federal Register on October 10, 2018 for non-compliance with section 654 of title VI of division A of Public Law 105-277, the “Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999” (5 U.S.C. 601 note).

Subsection (c) of the above referenced law requires the following:

**“FAMILY POLICYMAKING ASSESSMENT.—**Before implementing policies and regulations that may affect family well-being, each agency shall assess such actions with respect to whether—

- (1) The action strengthens or erodes the stability or safety of the family...
- (2) The action strengthens or erodes the authority and rights of parents in the education, nurture, and supervision of their children;
- (3) The action helps the family perform its functions...
- (4) The action increases or decreases disposable income or poverty of families and children;
- (5) The proposed benefits of the action justify the financial impact on the family...”

Subsection (d) requires:

“(1) CERTIFICATION AND RATIONALE.—With respect to each proposed policy or regulation that may affect family well-being, the head of each agency shall—

- (A) submit a written certification to the Director of the Office of Management and Budget and to Congress that such policy or regulation has been assessed in accordance with this section; and
- (B) provide an adequate rationale for implementation of each policy or regulation that may negatively affect family well-being.”

Respectfully, I request a copy of the assessments required by subsection (c). Additionally, I do not believe it is possible to “provide an adequate rationale for the implementation of each policy or regulation that may negatively affect family well-being” for this proposed public charge rule as is required by subsection (d), but I still request a written presentation of any rationale that has been submitted to date in satisfaction of this subsection. If both of these requests cannot be fulfilled immediately (the required assessments and certifications should have already been submitted), then again, I request that you withdraw the Department’s proposed public charge rulemaking.

I look forward to your reply to this letter, and I will continue to fight to keep immigrant families together.

Sincerely,

  
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Grace Meng  
Member of Congress