

EXHIBIT 3

Department of State, Office of Information and Regulatory Affairs, Office of Management and Budget
Department of State's Bureau of Consular Affairs, Office of Visa Services
Docket Number: DOS-2019-0039

Re: Emergency Submission Comment on Immigrant Health Insurance Coverage

October 31, 2019

To whom it may concern:

AIDS United feels it is necessary to respond to the Trump Administration's Emergency Submission Comment on Immigrant Health Insurance Coverage. As an organization, AIDS United is devoted to ending the HIV epidemic and providing every person who is living with or affected by HIV in the United States with the quality health care and supportive services that they deserve. This devotion to ending the epidemic and taking care of people impacted by HIV extends to all immigrants currently living in the United States and those seeking a better life in here. HIV makes no exceptions based on a person's nationality, ethnicity, or net worth and neither does AIDS United.

The Presidential Proclamation on the Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System (PP 9945) demands that immigrants prove they will be able to obtain unsubsidized health insurance within 30 days of their arrival or that they possess "the financial resources to pay for reasonably foreseeable medical costs" as a prerequisite for the approval of a visa. As such, all immigrants will have to obtain their health insurance without the use of Medicaid or Affordable Care Act health insurance subsidies.

AIDS United strongly condemns this proclamation as a behind the scenes end-run to restrict legal immigration to the United States. This proclamation is a wealth and health test for any immigrant trying to come to the United States. And, when combined with the Public Charge rule change that came before it, the proclamation will serve as an almost insurmountable roadblock for any immigrant living with HIV seeking to live in the U.S.

AIDS United has been very active in partnering with the Trump administration in their Ending the HIV Epidemic: A Plan For America and wishes to see it be as successful as possible. Unfortunately, the policy changes proposed in PP 9945 run counter to public health best practices and will further increase the sense of distrust between immigrants living with and affected by HIV in the United States—both documented and undocumented—and the health care systems they need to access to treatment and prevention services that will allow them to live long, healthy lives.

We also find it very problematic that PP 9945 allows for the use of short term, limited duration insurance (STLDI) plans to qualify as "acceptable" coverage for immigrants. These plans will harm patients and their families as well as others in the health care system by undermining access to quality, affordable coverage. These plans also threaten to bring back abusive practices that harm consumers specifically prohibited by the Affordable Care Act, effectively sanctioning discrimination by the insurance industry and denying access to thousands including people living with HIV. AIDS United is currently challenging recent regulations on STLDI plans in court in *Association for Community Affiliated Plans et al v. U.S. Department of Treasury et al.* and urges the administration to move away from using these plans to short circuit the ACA and specifically for immigrants.

Finally, we object to the 48 hour comment window which will prevent many organizations and individuals who wish to comment from doing so. This is not a fair process for many who are most likely to be impacted by these changes.

AIDS United strongly encourages the Trump administration to rescind this Presidential Proclamation and to ensure that a person's HIV status or finances does not determine their ability to seek citizenship.

Sincerely,

A handwritten signature in black ink that reads "William D. McColl". The signature is written in a cursive, flowing style.

William McColl
Vice President for Policy and Advocacy
AIDS United