

Legislative Update



October 2019

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Fiscal Year 2020 appropriations update; government shutdown averted for now

- Continuing resolution signed

On Sept. 27, President Trump signed a short-term continuing resolution that would keep the federal government funded through Nov. 21. With the 2019 fiscal year having ended on Sept. 30, the CR is needed to prevent a government shutdown as none of the 12 annual spending bills have been signed into law. While the House of Representatives has passed 10 of the bills to date, the full Senate has not passed any, though several have been reported out of the Senate Appropriations Committee. The CR also includes an extension of funding for several other important health care programs that were set to expire on Sept. 30, including the Community Health Centers and National Health Service Corps programs. The House passed the CR by a vote of [301-123](#), and the Senate passed it by a vote of [81-16](#).

- Senate FY 2020 Labor-HHS-Education appropriations bill released

While the House [passed its version](#) of the FY 2020 Labor-HHS-Education appropriations bill (which was packaged with the FY 2020 Defense, State-Foreign Operations and Energy and Water appropriations bills) in June, and had the [strong support of APHA](#), the Senate Appropriations Committee has not been able to move forward with its version of the bill. The committee recently cancelled its scheduled

markup of the bill after committee Democrats made clear that they planned to offer an amendment to overturn the administration's controversial changes to the Title X program, which would bar clinics from giving patients full and accurate counseling about their health care choices, including abortion. [Under the Senate draft](#), funding for the Centers for Disease Control and Prevention would increase by about \$180 million above FY 2019 levels, with most programs receiving level funding. One controversial provision that is included in the Senate bill is the proposal to completely eliminate funding for the agency's [Racial and Ethnic Approaches to Community Health program](#) – a proposal strongly opposed by APHA and many other health partners. In contrast, the [House bill](#) would provide a more than \$929 million increase for CDC programs, including a \$16 million increase for the REACH program, \$25 million in funding for CDC to undertake gun violence prevention research and a \$5 million increase in funding for CDC's Climate and Health Program, among many other important increases. The Health Resources and Services Administration would receive an \$85 million increase under the Senate bill compared to a more than \$472 million increase under the House version of the bill.

- ATSDR gets boost in House and Senate FY 2020 Interior-Environment spending bills

The Senate Appropriations Committee recently approved its version of the [FY 2020 Interior-Environment appropriations bill](#). Funding for the Agency for Toxic Substances and Disease Registry was increased by \$2 million in the Senate bill to a level of more than \$76.6 million. ATSDR protects the public's health by preventing exposure to harmful contaminants in our soil, water and air; responds to requests from communities across the country to protect people from exposure to harmful levels of substances in the environment; and provides funds to state health departments and supports environmental health professionals in regional and field offices. The [House Interior-EPA bill](#) provided a \$5 million increase for ATSDR, taking the total up to more than \$79.6 million. The House and Senate will now have to reconcile the difference between the two bills, and APHA will encourage conferees to keep the higher House number. The bill, which also funds the Environmental Protection Agency was passed by the House in June by a vote of [227-194](#) as part of a larger appropriations minibus package that also contained the FY 2020 Military Construction-Veterans Affairs, Commerce-Justice-Science, Agriculture and Transportation-HUD appropriations bills. APHA and many partner organizations have been [advocating for increased funding for the agency](#), which hasn't seen an increase in more than a decade.

Congress must now work to finalize the 12 spending bills by Nov. 21 or pass another continuing resolution to avoid another government shutdown. It is unclear how the process will move forward, though according to Senate Appropriations Committee Chairman Richard Shelby, House and Senate Appropriations Committee staff have begun discussions to try to find a path forward to finalizing the bills and avoiding a potential government shutdown.

Trump administration announces plan to remove flavored e-cigarettes from the market

On Sept. 11, the Trump administration [announced](#) their intention to remove flavored e-cigarettes, including mint and menthol flavors, from the market. This announcement comes following reports of hundreds of illnesses and several deaths related to vaping. The administration also acknowledged youth vaping as a growing public health crisis, citing preliminary data from the National Youth Tobacco Survey showing a continued rise in the rates of youth e-cigarette use. The preliminary data shows that more than a quarter of high school students reported being current e-cigarette users, the majority of whom reported using flavored products. Secretary Alex Azar of the Department of Health and Human Services said the Food and Drug Administration will release a plan to remove flavored e-cigarettes and nicotine pods from the market in the coming weeks. APHA is supporting HHS and FDA actions to address the vaping epidemic. On Sept. 24, APHA joined partner organizations in letters sent to [President Trump](#) and [First Lady Melania Trump](#) applauding their initiative to remove these harmful products from the market.

On Sept. 19, Members of Congress launched a bipartisan, bicameral [Congressional Caucus to End the Youth Vaping Epidemic](#). The caucus is co-chaired by Rep. Raja Krishnamoorthi, D-Ill., Rep. Peter King, R-N.Y., and Senator Dick Durbin, D-Ill., and includes 52 congressional members. APHA joined more than 40 public health organizations in endorsing the caucus. APHA will continue to work with Congress and the administration to reduce the toll of tobacco on our youth and the lives of all Americans.

Trump administration proposed rule threatens to eliminate SNAP benefits for 3.1 million people

On Sept. 19, APHA submitted [comments](#) opposing the U.S. Department of Agriculture's proposed rule, "[Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program](#)." The proposed rule would revise a federal policy option that allows states to eliminate an asset test within SNAP. This policy option, known as broad-based categorical eligibility, permits states to serve more low-income households by raising SNAP income eligibility limits to factor in other expenses, such as housing or child care payments. If finalized, this rule would eliminate SNAP benefits for 3.1 million individuals. Additionally, children in households that participate in SNAP are directly certified in federally subsidized free school meals. This rule would leave as many as 500,000 children without access to these meals, which are often their primary source of nutrition. More than 75,000 comments were submitted to USDA in opposition to the proposed rule, including 70 from mayors and 17 from governors.

APHA and leading public health researchers hold gun violence prevention forum

On Sept. 23, APHA and the Bloomberg American Health Initiative at the Johns Hopkins Bloomberg School of Public Health co-hosted a half-day forum in

Washington, D.C., to highlight the most up-to-date evidence on gun violence prevention, and elevate the best research on strategies to reduce deaths and injuries stemming from gun violence. The forum, Policies that Work to Reduce Gun Violence, featured two panels of leading experts on firearm policy and the prevention of gun violence. The speakers discussed successful policy interventions such as extreme risk protection order laws, background checks and licensing, hospital-based interventions and community-based interventions. A [recording](#) of the forum is available for viewing on www.apha.org.

Additional APHA advocacy news

Given the rapid pace of action in Washington, D.C., we wanted to highlight additional issues we have weighed in on recently. Those include:

- [Health organization letter](#) to House Ways and Means Committee and Senate Finance Committee leaders in support of tax incentives for clean energy deployment to address climate change
- [Health organization letter](#) to Senate Majority Leader Mitch McConnell and Senate Minority Leader Chuck Schumer urging the full Senate to finalize the Lower Health Care Costs Act
- Health organization letters to members of the [House](#) and [Senate](#) in opposition to H.R.1858/S.9, the Traditional Cigar Manufacturing and Small Business Jobs Preservation Act, which would exempt cigars from oversight under the Family Smoking Prevention and Tobacco Control Act
- Health organization letters to the [House](#) and [Senate](#) authors of H.R. 1551/S.1960, the Quality Care for Moms and Babies Act, in support of their introduction of this important legislation to address the nation's maternal mortality crisis and the rising number of preterm births
- [Health organization letter](#) to members of the Senate in support for S.655, the Stopping Appealing Flavors in E-Cigarettes (SAFE) for Kids Act
- [Public health brief](#) filed in the U.S. District Court for the Southern District of New York highlighting the negative public health impacts of the U.S. Department of Homeland Security's final rule, "Inadmissibility on Public Charge Grounds"
- [Organization brief](#) filed before the U.S. District Court for the District of Maryland by the Center for Science in the Public's Interest, and others, against the U.S. Department of Agriculture for their recent decision to offer nutrition "flexibilities," allowing schools to serve meals with more sodium and fewer whole grains
- [Health organization comments](#) to U.S. EPA opposing a proposal to reclassify major sources of air pollution under Section 112 of the Clean Air Act