

# Legislative Update



**March 2020**

- 1. Congress passes critical emergency funding for COVID-19 prevention, preparedness and response activities**
- 2. President's FY 2021 budget proposes extreme funding cuts for critical public health programs**
- 3. House passes legislation to address youth e-cigarette use**
- 4. APHA and public health partners endorse Clean Economy Act**

## **Congress passes critical emergency funding for COVID-19 prevention, preparedness and response activities**

On March 4, the House overwhelmingly passed an [\\$8.3 billion emergency supplemental spending bill](#) that contains important funding for a variety of public health activities to combat the coronavirus outbreak, by a vote of [415-2](#). The Senate passed the bill on March 5 by a vote of [96-1](#). Within the total, the bill contains \$2.2 billion for federal, state and local health departments and agencies for prevention, preparedness and responsive activities to combat the coronavirus outbreak. Of the total, \$950 million is dedicated for state and local health department public health activities to protect the public from the virus. The proposal would also provide more than \$3 billion in funding for research and the development of treatments and vaccines. APHA [issued a statement](#) after Senate passage thanking Congress for passing the bill and urging the president to quickly sign it into law.

On Feb. 28, APHA joined other leading health and medical organizations in sending a [letter to House and Senate Appropriations Committee leaders](#) urging them to act swiftly and decisively to provide robust support for key domestic public health and health care programs, medical countermeasure development, global preparedness programs and response mechanisms, and international partnerships, in order to mitigate the impacts of the COVID-19 outbreak. In the letter, the groups noted that the proposal from the administration to provide only \$1.25 billion in new funding as well as to transfer funding from existing funding appropriated for Ebola and other

existing programs was not adequate and cautioned that decisionmakers should not divert funding from other important public health and national security programs to fund the COVID-19 response. The groups also encouraged Congress to appropriate money for the Public Health Emergency Fund and the Infectious Disease Rapid Response Fund, managed by HHS Secretary Alex Azar and CDC, respectively. All of the funding that was available in the CDC IDRRF has already been fully spent or committed, and the Public Health Emergency Fund remains unfunded.

For more information about APHA's efforts to educate and inform the public and the public health community about the coronavirus outbreak, check out [APHA's Public Health Newswire](#).

### **President's FY 2021 budget proposes extreme funding cuts for critical public health programs**

On Feb. 10, President Trump released his FY 2021 budget proposal for the federal government. As in past years, the administration's budget fails to adequately support public health or build upon congressional bipartisan support for investments in public health. The administration's proposal would slash nondefense discretionary spending below levels that were set in the Bipartisan Budget Act of 2019, which was passed by wide bipartisan margins in both the House and Senate and signed by the president in August. The president's budget proposes a [9% cut to the U.S. Department of Health and Human Services](#) and a 26% cut to the U.S. Environmental Protection Agency. The budget includes more than \$693 million in cuts to Centers for Disease Control and Prevention programs and a \$742 million cut to Health Resources and Services Administration programs. The budget also proposes billions of dollars in cuts to critical safety-net programs that protect health, including Medicaid and the Supplemental Nutrition Assistance Program. Upon its release, APHA [issued a statement](#) strongly opposing the proposal's recommended cuts for key public health programs. APHA, which leads the CDC Coalition and the Friends of HRSA, is asking for significant increases for the two agencies in contrast to the president's proposal. The CDC Coalition is requesting that Congress provide at least [\\$8.3 billion for CDC's programs](#) in FY 2021, which would represent about a \$600 million increase over current year funding. The Friends of HRSA are recommending [\\$8.8 billion for HRSA](#), about a \$1.8 billion increase over current year funding. Both agencies continue to be chronically underfunded, despite some funding increases in the past few years.

### **House passes legislation to address youth e-cigarette use**

On Feb. 28, the U.S. House of Representatives passed H.R. 2339, the Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act by a vote of [213-195](#). This legislation would raise the minimum purchasing age for all tobacco products to 21, create advertising and sales parity for all tobacco products including e-cigarettes, ban all flavored tobacco products including menthol, and expedite the timeline for graphic health warning compliance. This bill comes at a critical time for public health. In contrast to the immense progress made in reducing cigarette

smoking among U.S. adults, data from the 2019 National Youth Tobacco Survey of 2019 showed e-cigarette use among high school students nationwide rose from 20.8% in 2018 to 27.5% in 2019. In other words, more than 1 in 4 high school students, or 5 million U.S. kids, are now using e-cigarettes. APHA supports this comprehensive approach to combat the alarming rise of tobacco use among America's youth, and will continue to work with Congress to address this growing public health crisis. The bill was [strongly supported by APHA](#) and other leading public health and medical organizations, and we thank all of the APHA and APHA Affiliate members who contacted their representatives to vote to pass the bill!

### **APHA and public health partners endorse the Senate Clean Economy Act**

On Feb. 11, APHA joined other leading public health and medical organizations in [endorsing S. 3268, the Clean Economy Act](#). The bill introduced by Sen. Tom Carper, D-Delaware and 33 original cosponsors would require the U.S. Environmental Protection Agency and other federal agencies to use their existing authority to achieve the goal of net-zero greenhouse gas emissions by 2050.

In the letter, the groups wrote, "We strongly support the Clean Economy Act's goal of reaching net-zero climate pollution by 2050, and its requirement that EPA 'achieve rapid greenhouse gas emissions reductions, based on the best available science, to protect public health and welfare from the effects of climate change.' We also support the requirement that the plan 'reduce and minimize pollution and cumulative environmental effects' in disproportionately impacted communities. The nation must dramatically reduce greenhouse gas emissions while cleaning up other harmful emissions from polluting sources at the same time. In the electricity sector, this means switching to clean, renewable electricity sources and avoiding sources that add to the burden of air pollution, such as burning biomass."

### **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 the House and Senate urging that any legislation to address climate change maintain Clean Air Act authority to regulate greenhouse gases (March 2)
- [Health organization letter](#) in support of S. 2754, the American Innovation and Manufacturing Act of 2020 and HR. 5544, the American Innovation and Manufacturing Leadership Act of 2020, legislation to phase down the production of hydrofluorocarbons (March 2)
- [Public health and legal expert letter](#) to Vice President Pence and other government leaders regarding principles and practices that should guide the efforts against COVID-19 in the U.S. (March 2)
- [Health organization letter](#) supporting increased funding for the Center for Disease Control and Prevention's National Center for Environmental Health in the FY 2021 Labor, Health and Human Services, Education, and Related Agencies Appropriations bill (Feb. 28)

- [Health organization brief](#) to the U.S. Court of Appeals for the Fourth Circuit in support of the American Academy of Pediatrics et al. urging the court to affirm the District Court's decision that FDA acted illegally in delaying implementation of premarket review for e-cigarettes, cigars and other products subject to the deeming rule (Feb. 27)
- [Organization letter](#) in opposition to Senate legislation to limit access to reproductive health care and exacerbate harmful and inaccurate rhetoric around the issue of abortion care (Feb. 24)
- [APHA letter](#) the UN Secretary-General regarding attacks on health facilities in Syria (Feb. 19)
- [APHA comments](#) to the U.S. Environmental Protection Agency regarding the agency's proposed rule National Primary Drinking Water Regulations: Lead and Copper Rule Revisions (Feb. 11)
- [Organization letter](#) to congressional leaders in support of the Supporting Older Americans Act of 2020 (Feb. 7)