

## YWCA USA Bi-Weekly Policy Update

February 6, 2017

Dear Advocacy Points of Contact,

This is the sixth in a series of policy updates that YWCA USA has prepared for your use. Below, you will find a summary of President Trump's executive orders relevant to YWCA's mission, an update on Cabinet and Supreme Court nominations, and details on movement regarding the repeal of the Affordable Care Act (ACA). We have also provided links to resources for additional information.

The fast pace of activity continues as we head into the third week of the new administration. To keep you fully apprised, these policy updates will continue on a biweekly basis. We encourage you to keep updated on our advocacy regarding Cabinet nominations through the [Transition 2017](#) intranet page - which includes links to action alerts, letters, and resource materials - and to learn more about the [2017 – 2018 Public Policy Priorities](#) and explore [new fact sheets](#) to support your advocacy.

Finally, please do not hesitate to reach out to us with questions and concerns.

With best wishes,  
YWCA USA Public Policy & Advocacy

### **President Trump Releases Broad Swath of Executive Orders in First Two Weeks of Presidency**

Since taking office on January 20, President Trump has released a wide array of executive orders that relate to YWCA USA's policy work and mission. Please see below for brief summaries of these executive orders as well as additional reading and resources. Drafts of several potential executive orders have been circulated in the media but not yet formally issued by the administration. We are monitoring these actions and will keep you apprised of those that are finalized.

#### **1) [Executive Order 13765](#) – Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal**

- Directs the secretary of Health and Human Services (HHS) and others to waive or grant exemptions for any provision of the Affordable Care Act (ACA) that would impose a fiscal burden on any state, individual, family, healthcare providers, health insurers, patients, recipients of services, purchasers of health insurers, or health device/product/medication manufacturers.
- Directs the secretary of HHS and others to facilitate states creating health care programs, and the development of interstate healthcare services and health insurance marketplaces.
- While this executive order received widespread publicity, it is primarily a statement of intent that will have little immediate impact because repealing most elements of the ACA will require Congressional action.

- 2) **Executive Order 13767** – **Border Security and Immigration Enforcement Improvements (aka the “Build a Wall” EO)**
  - Outlines plans to build wall between U.S. and Mexico.
  - Directs the immediate detainment and deportation of undocumented immigrants.
  - Instructs the U.S. Customs and Border Protection agency to hire 5,000 additional border patrol agents, and deputizes state and local law enforcement to be immigration officers.
  - Requires state and federal agencies to tally how much foreign aid they are sending to Mexico.
  - This executive order raises significant concerns, as it both emphasizes the immediate deportation of undocumented immigrants and expands the government’s capacity to do so. We are already hearing reports of stepped-up enforcement in targeted areas which will have negative effects on non-citizens around the country, including those served by YWCAs.
  
- 3) **Executive Order 13768** – **Enhancing Public Safety in the Interior of the United States (aka “Sanctuary Cities” EO)**
  - Prioritizes the removal of undocumented immigrants who have been charged with or convicted of a criminal offense; committed acts that could be charged as a crime; abused public benefit programs; or otherwise pose a risk to public safety or national security.
  - Removes all funding (except mandated funding for law enforcement) from “Sanctuary Cities.”
  - Orders the secretary of Homeland Security to issue guidance and regulations to “ensure the assessment and collection of all fines that the secretary is authorized under the law to assess and collect from aliens unlawfully present in the United States and from those who facilitate their presence in the United States.”
  - Aspects of this order are quite broad. For example, it is unclear at this juncture whether organizations that provide services to undocumented immigrants (as some YWCAs do) could be construed as facilitating their presence in the U.S. and thereby be subject to fines.
  - In addition, the elimination of federal funding to sanctuary cities could lead to a decrease in the funding that YWCAs in sanctuary cities receive and use to provide community services, due to a decrease in overall funding.
  
- 4) **Executive Order 13769** – **Protecting the Nation from Foreign Terrorist Entry into the United States (aka the “Muslim Ban” EO)**
  - Suspends all refugee immigration for 120 days (until May 28, 2017).
  - Suspends all immigration from Syria, Iran, Iraq, Yemen, Somalia, Sudan, and Libya for the next 90 days (until April 28, 2017).
  - Permanently suspends the immigration of Syrian refugees.
  - Decreases the number of refugees to be permitted each year from 110,000 to 50,000.

- Prioritizes refugee applications of individuals claiming religious persecution where the individual is part of a minority religion in their native country. (Has been viewed by many rights groups as a prioritization of Christians at the expense of non-Christians, particularly Muslims).
- This executive order is being vigorously challenged in the courts and has prompted large-scale public protests in cities across the country. At the time of this writing, this order has been “stayed” pending further court review.

[Tracking Trump's Agenda, Step by Step](#) [The New York Times]

[Trump Bars Refugees and Citizens of 7 Muslim Countries](#) [The New York Times]

[Trump Orders Mexican Border Wall to Be Built and Plans to Block Syrian Refugees](#) [The New York Times]

[Trump has Already Signed 19 Executive Actions- Here's What Each One Does](#) [Business Insider]

## Senate Committees Move on Confirmations of Key Cabinet Seats

### ***Betsy DeVos-Department of Education***

The Senate Health, Education, Labor and Pensions Committee has now voted Betsy DeVos' nomination for secretary of the Department of Education out of committee and she is expected to be voted on by the full Senate on Tuesday, February 7. Mrs. DeVos' confirmation has become one of the most challenging of President Trump's selections after many felt her preparedness for the position and her confirmation hearing to be questionable. While she was voted out of committee on a party-line vote, two Republican senators, Senators Murkowski (R-AK) and Collins (R-ME) have already announced on the Senate floor that they will vote “no” on her confirmation before the full Senate. Assuming that all Democrats vote “no,” and no other Republican Senators besides Murkowski and Collins vote “no,” Mrs. DeVos' confirmation vote will be a tie, which will then have to be broken by Vice President Pence. This would be the first time in history a vice president would have to break the tie on a Cabinet nomination. YWCA USA [sent a letter](#) to each Senator on Friday, February 3, urging a NO vote on Mrs. DeVos' nomination.

[Betsy DeVos Clears Another Hurdle in Early Morning Senate Vote](#) [CNN Politics]

[2 G.O.P. Senators to Vote Against Betsy DeVos as Education Secretary](#) [The New York Times]

### ***Representative Tom Price- Department of Health and Human Services***

The Senate Finance Committee and the Senate Health, Education, Labor & Pensions Committee have now voted Representative Price's nomination for secretary of Health and Human Services out of committee. Rep. Price's vote out of committee also garnered a lot of attention, as Democrats boycotted the votes to advance his nomination. To push his nomination out of committee, the Republicans suspended the committee rules to vote Rep.

Price through without any Democrats present in the room to vote against his advancement. His confirmation is expected to be voted on during the week of February 6. YWCA USA [sent a letter](#) to each Senator on Friday, February 3, urging a NO vote on Rep. Price's nomination.

[Senate Republicans Defy Democrats' Boycott to Advance Trump Nominees](#) [NPR]

### ***Senator Jeff Sessions- Attorney General***

The Senate Judiciary Committee has now voted Senator Jeff Sessions' nomination for attorney general of the United States out of committee on a party line vote. Senator Sessions' full Senate confirmation vote will not come until after Mrs. DeVos', as his vote will be needed in the highly contentious DeVos confirmation. He is expected to be voted on following the confirmation votes of Mrs. DeVos and Rep. Price sometime during the week of February 6<sup>th</sup>. YWCA USA [sent a letter](#) to each Senator on Friday, February 3, urging a NO vote on Senator Sessions' nomination.

[Sessions approved by Senate Committee](#) [The Hill]

For more information on each of the nominees, please review the [Transition 2017](#) Intranet page.

### **President Trump Announces Supreme Court Justice Nominee**

On Tuesday, January 31, President Trump announced that Neil Gorsuch would be his nominee to the Supreme Court to replace Antonin Scalia who passed away in February 2016. Neil Gorsuch is a 49-year-old federal judge from Colorado, who, if confirmed, would be expected to vote with the conservative arm of the court. YWCA issued a [statement](#) expressing significant concerns regarding Judge Gorsuch's nomination.

The confirmation of Judge Gorsuch is expected to be rocky, as many Democrats continue to express anger and resentment about the Republican's decision not to consider President Obama's nomination of Judge Merrick Garland to the court last year. President Trump has urged Majority Leader McConnell to "go nuclear" if the Democrats refuse to consider Judge Gorsuch. To do so, Republicans would invoke the "nuclear option" which lowers the required 60 votes to advance a Supreme Court nomination down to a simple majority.

[Trump Nominates Neil Gorsuch for the U.S. Supreme Court](#) [The Atlantic]

[President Trump to Senate Leader: 'Go Nuclear' to Confirm Gorsuch](#) [NPR]

### **President Trump to Address a Joint Session of Congress on February 28**

On January 24, Speaker of the House Paul Ryan (R-WI) invited President Trump to address a joint session of Congress, and the White House immediately announced that President Trump had accepted the invitation. This is a traditional event for the newly seated president, who does not offer a formal State of the Union address in the first year in office. YWCA USA intends to monitor President Trump's

address and respond to his proposals accordingly.

## **Congress Continues to Work on Replacement Language as Affordable Care Act Repeal Moves Forward**

While Congress has blown past the January 27 deadline to bring forth reconciliation language to repeal the Affordable Care Act (ACA), many members are working on replacement language that they hope can go along with the repeal.

### ***Senator Rand Paul***

On January 25, Senator Rand Paul (R-KY) unveiled his replacement bill, [S. 222](#), to the Affordable Care Act. Paul's plan would abolish many of the central components to the Affordable Care Act, including the individual mandate, minimum standards for the health services a provider must cover, and protections for individuals with pre-existing conditions. The plan also includes a \$5000 per person tax credit for use of a Health Savings Account to pay for medical care. The bill currently has no cosponsors and is one of many potential proposals floating around.

[Rand Paul Unveils ObamaCare Replacement](#) [The Hill]

### ***Senators Cassidy and Collins***

On January 23, Senators Susan Collins (R-ME) and Bill Cassidy (R-LA) introduced [S.191, the Patient Freedom Act of 2017](#). This legislation would repeal provisions in the ACA, including the individual mandate, the prohibition of price discrimination (i.e. women could be charged more for their coverage, again, just for being women), and the mandate that all insurance policies cover essential health benefits. The bill would keep the prohibitions on annual and lifetime limits, as well as the pre-existing condition exclusion and would allow young adults to stay on their parents' plan until age 26. The bill would allow states to keep the ACA if they wanted to, but would also allow them to choose a new state alternative or design an alternative with federal funding. The bill currently has three additional cosponsors: Senators Shelly Moore Capito (R-WV), Johnny Isakson (R-GA), and Lindsey Graham (R-SC).

[ACA Replacement Bill from Cassidy and Colleagues Offers State Options, Roth HSAs](#) [Health Affairs Blog]

[Cassidy-Collins, the GOP Replacement Plan that lets Liberal States Keep Obamacare, Explained](#) [Vox]

The Center on Budget and Policy Priorities has put out a primer entitled, "[How Affordable Care Act Replacement Proposals Fall Short](#)," which is informative to help discern what some of the proposals coming forward mean and intend to do to alter and/or roll back the Affordable Care Act.

If you were unable to join YWCA USA's monthly policy webinar, focused on the Affordable Care Act, or

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A MISSION**

eliminating racism  
empowering women  
**ywca**

would like to watch it again, please [view](#) the recording.

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