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March 23, 2018

The Honorable Alex Azar  
Secretary

U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, DC 20201

Dear Secretary Azar:

While I await an overdue response to my letter of February 22, 2018 regarding gun safety and gun violence prevention research at the Centers for Disease Control and Prevention (CDC), I write again following the recent enactment of omnibus appropriations legislation for the remainder of fiscal year 2018.

Report language accompanying the legislation confirms your correct interpretation of the Dickey amendment — the appropriations rider originally sponsored by the late Representative Jay Dickey (R-AR), which, since 1996, has provided that none of the funds made available to the CDC may be used “to advocate or promote gun control.”<sup>1</sup> The report language recognizes that the Dickey amendment is not a ban on scientific research into the causes and prevention of gun violence: “While appropriations language prohibits the CDC and other agencies from using appropriated funding to advocate or promote gun control, the Secretary of Health and Human Services has stated the CDC has the authority to conduct research on the causes of gun violence.”

In light of this legislative recognition of the limits of the Dickey amendment, and the increase in CDC funding for fiscal year 2018 by \$1.046 billion over fiscal year 2017, I respectfully request that you also answer the following questions:

1. What is your understanding of CDC’s ability to fund gun safety and gun violence prevention research out of its appropriation increase of \$1.046 billion? Can CDC use these additional funds, or any existing baseline funding, for gun safety and gun violence prevention research? If not, does CDC need a specific authorization — like that in S.834, the legislation I have introduced — in order to conduct this work?

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<sup>1</sup> P.L. 104-208, 110 Stat. 3009-244 (Sept. 30, 1996).

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2. If CDC believes it may access this funding for gun safety and gun violence prevention research, how much will CDC devote to it this fiscal year? If CDC does not believe there are omnibus funds available for this research, will CDC request a supplemental appropriation for this fiscal year, and if so, for how much?
3. Does CDC intend to revise its FY 2019 budget request to expressly provide for funding for gun safety and gun violence prevention research? Will CDC's FY 2020 request include such a funding request?

I look forward to receiving your response to my letter of February 22, 2018, as well as a response to these questions, by April 13, 2018.

Sincerely,



Edward J. Markey  
United States Senator