

## HR 2339

Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act of 2020

**Congress:** 116 (2019–2021, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Apr 18, 2019

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Finance.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Finance. (Mar 2, 2020)

**Official Text:** <https://www.congress.gov/bill/116th-congress/house-bill/2339>

### Sponsor

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**Name:** Rep. Pallone, Frank, Jr. [D-NJ-6]

**Party:** Democratic • **State:** NJ • **Chamber:** House

**Cosponsors** (126 total)

<b>Cosponsor</b>	<b>Party / State</b>	<b>Role</b>	<b>Date Joined</b>
Rep. Shalala, Donna E. [D-FL-27]	D · FL		Apr 18, 2019
Rep. Lee, Barbara [D-CA-13]	D · CA		Apr 25, 2019
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Apr 25, 2019
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Apr 25, 2019
Rep. Underwood, Lauren [D-IL-14]	D · IL		May 2, 2019
Rep. Blunt Rochester, Lisa [D-DE-At Large]	D · DE		May 14, 2019
Rep. Mucarsel-Powell, Debbie [D-FL-26]	D · FL		May 14, 2019
Rep. Neguse, Joe [D-CO-2]	D · CO		May 30, 2019
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		May 30, 2019
Rep. Cohen, Steve [D-TN-9]	D · TN		Jun 12, 2019
Rep. Quigley, Mike [D-IL-5]	D · IL		Jun 12, 2019
Rep. Raskin, Jamie [D-MD-8]	D · MD		Jun 12, 2019
Rep. Ryan, Tim [D-OH-13]	D · OH		Jun 12, 2019
Rep. Suozzi, Thomas R. [D-NY-3]	D · NY		Jun 12, 2019
Rep. Tonko, Paul [D-NY-20]	D · NY		Jun 12, 2019
Rep. Engel, Eliot L. [D-NY-16]	D · NY		Jun 20, 2019
Rep. Kennedy, Joseph P., III [D-MA-4]	D · MA		Jun 20, 2019
Rep. Sewell, Terri A. [D-AL-7]	D · AL		Jun 20, 2019
Rep. Larsen, Rick [D-WA-2]	D · WA		Jun 28, 2019
Rep. Pingree, Chellie [D-ME-1]	D · ME		Jun 28, 2019
Rep. Wasserman Schultz, Debbie [D-FL-23]	D · FL		Jun 28, 2019
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jul 9, 2019
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Jul 9, 2019
Rep. Lieu, Ted [D-CA-33]	D · CA		Jul 9, 2019
Rep. Craig, Angie [D-MN-2]	D · MN		Jul 25, 2019
Rep. King, Peter T. [R-NY-2]	R · NY		Jul 25, 2019
Rep. Lowey, Nita M. [D-NY-17]	D · NY		Aug 6, 2019
Rep. Lewis, John [D-GA-5]	D · GA		Aug 9, 2019
Rep. McCollum, Betty [D-MN-4]	D · MN		Aug 20, 2019
Rep. Hill, Katie [D-CA-25]	D · CA		Sep 6, 2019
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Sep 6, 2019
Rep. Cox, TJ [D-CA-21]	D · CA		Sep 9, 2019
Rep. Tlaib, Rashida [D-MI-13]	D · MI		Sep 9, 2019
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		Sep 11, 2019
Rep. Kilmer, Derek [D-WA-6]	D · WA		Sep 11, 2019
Rep. Kirkpatrick, Ann [D-AZ-2]	D · AZ		Sep 11, 2019
Rep. Roybal-Allard, Lucille [D-CA-40]	D · CA		Sep 11, 2019
Rep. Schrier, Kim [D-WA-8]	D · WA		Sep 11, 2019
Rep. Stevens, Haley M. [D-MI-11]	D · MI		Sep 12, 2019
Rep. Brownley, Julia [D-CA-26]	D · CA		Sep 16, 2019
Rep. Deutch, Theodore E. [D-FL-22]	D · FL		Sep 16, 2019

Cosponsor	Party / State	Role	Date Joined
Rep. Dingell, Debbie [D-MI-12]	D · MI		Sep 16, 2019
Rep. Foster, Bill [D-IL-11]	D · IL		Sep 16, 2019
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Sep 16, 2019
Rep. Pappas, Chris [D-NH-1]	D · NH		Sep 16, 2019
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Sep 16, 2019
Rep. Cisneros, Gilbert Ray, Jr. [D-CA-39]	D · CA		Sep 24, 2019
Rep. Davis, Danny K. [D-IL-7]	D · IL		Sep 24, 2019
Rep. Davis, Susan A. [D-CA-53]	D · CA		Sep 24, 2019
Rep. Gottheimer, Josh [D-NJ-5]	D · NJ		Sep 24, 2019
Rep. Heck, Denny [D-WA-10]	D · WA		Sep 24, 2019
Rep. Krishnamoorthi, Raja [D-IL-8]	D · IL		Sep 24, 2019
Rep. Levin, Mike [D-CA-49]	D · CA		Sep 24, 2019
Rep. Meng, Grace [D-NY-6]	D · NY		Sep 24, 2019
Rep. Napolitano, Grace F. [D-CA-32]	D · CA		Sep 24, 2019
Rep. Pocan, Mark [D-WI-2]	D · WI		Sep 24, 2019
Rep. Rouda, Harley [D-CA-48]	D · CA		Sep 24, 2019
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Sep 26, 2019
Rep. Lawson, Al, Jr. [D-FL-5]	D · FL		Sep 26, 2019
Rep. Pressley, Ayanna [D-MA-7]	D · MA		Sep 26, 2019
Del. Plaskett, Stacey E. [D-VI-At Large]	D · VI		Oct 4, 2019
Rep. Barragan, Nanette Diaz [D-CA-44]	D · CA		Oct 4, 2019
Rep. Cartwright, Matt [D-PA-8]	D · PA		Oct 4, 2019
Rep. Kelly, Robin L. [D-IL-2]	D · IL		Oct 8, 2019
Rep. Kim, Andy [D-NJ-3]	D · NJ		Oct 8, 2019
Rep. Rose, Max [D-NY-11]	D · NY		Oct 8, 2019
Rep. Case, Ed [D-HI-1]	D · HI		Oct 11, 2019
Rep. Hayes, Jahana [D-CT-5]	D · CT		Oct 11, 2019
Rep. Langevin, James R. [D-RI-2]	D · RI		Oct 11, 2019
Rep. Norcross, Donald [D-NJ-1]	D · NJ		Oct 11, 2019
Rep. Payne, Donald M., Jr. [D-NJ-10]	D · NJ		Oct 11, 2019
Rep. Demings, Val Butler [D-FL-10]	D · FL		Oct 21, 2019
Rep. Huffman, Jared [D-CA-2]	D · CA		Oct 21, 2019
Rep. Kildee, Daniel T. [D-MI-5]	D · MI		Oct 21, 2019
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Oct 21, 2019
Rep. Ruiz, Raul [D-CA-36]	D · CA		Oct 21, 2019
Rep. Bera, Ami [D-CA-7]	D · CA		Oct 28, 2019
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Oct 28, 2019
Rep. Houlahan, Chrissy [D-PA-6]	D · PA		Oct 28, 2019
Rep. Khanna, Ro [D-CA-17]	D · CA		Oct 28, 2019
Rep. Lawrence, Brenda L. [D-MI-14]	D · MI		Oct 28, 2019
Rep. Takano, Mark [D-CA-41]	D · CA		Oct 28, 2019
Rep. Lujan, Ben Ray [D-NM-3]	D · NM		Oct 30, 2019

Cosponsor	Party / State	Role	Date Joined
Rep. McNerney, Jerry [D-CA-9]	D · CA		Oct 30, 2019
Rep. Garcia, Jesus G. "Chuy" [D-IL-4]	D · IL		Nov 1, 2019
Rep. Soto, Darren [D-FL-9]	D · FL		Nov 1, 2019
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Nov 5, 2019
Rep. Chu, Judy [D-CA-27]	D · CA		Nov 12, 2019
Rep. Dean, Madeleine [D-PA-4]	D · PA		Nov 12, 2019
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Nov 13, 2019
Rep. Moore, Gwen [D-WI-4]	D · WI		Nov 13, 2019
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		Nov 13, 2019
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Nov 21, 2019
Rep. Porter, Katie [D-CA-45]	D · CA		Nov 21, 2019
Rep. Trone, David J. [D-MD-6]	D · MD		Nov 21, 2019
Rep. Malinowski, Tom [D-NJ-7]	D · NJ		Nov 26, 2019
Rep. Casten, Sean [D-IL-6]	D · IL		Dec 3, 2019
Rep. Sánchez, Linda T. [D-CA-38]	D · CA		Dec 5, 2019
Rep. Evans, Dwight [D-PA-3]	D · PA		Dec 6, 2019
Rep. Castro, Joaquin [D-TX-20]	D · TX		Dec 11, 2019
Rep. Swalwell, Eric [D-CA-15]	D · CA		Dec 11, 2019
Rep. Beatty, Joyce [D-OH-3]	D · OH		Dec 23, 2019
Rep. Speier, Jackie [D-CA-14]	D · CA		Dec 23, 2019
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Jan 7, 2020
Rep. Espaillat, Adriano [D-NY-13]	D · NY		Jan 13, 2020
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Jan 15, 2020
Rep. Slotkin, Elissa [D-MI-8]	D · MI		Jan 21, 2020
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Jan 24, 2020
Rep. Maloney, Sean Patrick [D-NY-18]	D · NY		Jan 24, 2020
Rep. McBath, Lucy [D-GA-6]	D · GA		Jan 28, 2020
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Jan 30, 2020
Rep. Rice, Kathleen M. [D-NY-4]	D · NY		Jan 30, 2020
Rep. Garcia, Sylvia R. [D-TX-29]	D · TX		Feb 4, 2020
Rep. Carson, Andre [D-IN-7]	D · IN		Feb 6, 2020
Rep. Waters, Maxine [D-CA-43]	D · CA		Feb 11, 2020
Rep. Gomez, Jimmy [D-CA-34]	D · CA		Feb 13, 2020
Rep. Haaland, Debra A. [D-NM-1]	D · NM		Feb 18, 2020
Rep. Thompson, Mike [D-CA-5]	D · CA		Feb 18, 2020
Rep. Cicilline, David N. [D-RI-1]	D · RI		Feb 21, 2020
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Feb 21, 2020
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Feb 21, 2020
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Feb 21, 2020
Rep. Larson, John B. [D-CT-1]	D · CT		Feb 21, 2020
Rep. Levin, Andy [D-MI-9]	D · MI		Feb 21, 2020
Rep. Phillips, Dean [D-MN-3]	D · MN		Feb 21, 2020

Cosponsor	Party / State	Role	Date Joined
Rep. Vargas, Juan [D-CA-51]	D · CA		Feb 21, 2020

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Nov 13, 2019
Finance Committee	Senate	Referred To	Mar 2, 2020

## Subjects & Policy Tags

### Policy Area:

Health

## Related Bills

Bill	Relationship	Last Action
116 HR 1570	Related bill	<b>Dec 10, 2020:</b> Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
116 HRES 866	Procedurally related	<b>Feb 27, 2020:</b> Motion to reconsider laid on the table Agreed to without objection.
116 HR 4716	Related bill	<b>Feb 21, 2020:</b> Placed on the Union Calendar, Calendar No. 323.
116 HR 4742	Related bill	<b>Feb 21, 2020:</b> Placed on the Union Calendar, Calendar No. 322.
116 S 3223	Related bill	<b>Jan 21, 2020:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
116 S 3174	Related bill	<b>Jan 9, 2020:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

## **Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act of 2020**

This bill revises requirements related to the safety, sale, and advertisement of tobacco products, including electronic nicotine delivery systems (e.g., e-cigarettes, e-hookah, e-cigars, and vape pens).

Among other requirements, the bill

- requires the Food and Drug Administration (FDA) to implement regulations to require color graphics on the labeling of cigarette packages, depicting the negative health consequences of smoking;
- requires the FDA to apply regulations on tobacco products to all tobacco products, including e-cigarettes;
- generally prohibits the retail online sale of tobacco products, including electronic nicotine delivery systems;
- prohibits flavors other than tobacco in a tobacco product;
- prohibits the use of flavored products in an electronic nicotine delivery system, except in specified circumstances;
- increases the user fees that the FDA collects from manufacturers and importers;
- directs the FDA to regulate products containing nicotine not made or derived from tobacco plants (including nicotine from chemical synthesis, recombinant genetic technology, or extraction from non-tobacco plants);
- imposes an excise tax on nicotine that has been extracted, concentrated, or synthesized;
- provides funding through FY2025 to support public education regarding tobacco regulation, public awareness regarding the harms associated with tobacco use, outreach to medically underserved communities regarding tobacco-use prevention and cessation, research grants related to tobacco-use prevention and cessation, and grants to health centers for tobacco-use cessation treatment;
- establishes and provides funding through FY2025 for a demonstration grant program to develop strategies for smoking cessation (including of the use of menthol-flavored tobacco products) in medically underserved communities;
- beginning in 2024, waives coinsurance under Medicare for colorectal-cancer screening tests;
- specifies that a health insurance plan may still be treated, for certain tax-deduction purposes, as a high-deductible plan even if it does not have a deductible for certain inhalers or nebulizers;
- exempts certain cigars from premarket review requirements;
- increases civil penalties for certain violations of restrictions on the sale of tobacco products; and
- requires the Government Accountability Office to study e-cigarettes.

## Actions Timeline

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- **Mar 2, 2020:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Feb 28, 2020:** Considered under the provisions of rule H. Res. 866. (consideration: CR H1257-1286)
- **Feb 28, 2020:** Rule provides for consideration of H.R. 2339 with 1 hour and 30 minutes of general debate. Motion to recommit with or without instructions allowed.
- **Feb 28, 2020:** DEBATE - The House proceeded with 90 minutes of debate on H.R. 2339.
- **Feb 28, 2020:** The previous question was ordered pursuant to the rule.
- **Feb 28, 2020:** POSTPONED PROCEEDINGS - Pursuant to clause 1(c) of Rule XIX, further proceedings on H.R. 2339 were postponed.
- **Feb 28, 2020:** Considered as unfinished business. (consideration: CR H1286-1289)
- **Feb 28, 2020:** Mr. Walden moved to recommit with instructions to the Committee on Energy and Commerce. (text: CR H1286-1287)
- **Feb 28, 2020:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Walden motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to insert a new title at the end of the bill, "Born-Alive Abortion Survivors Protection."
- **Feb 28, 2020:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Feb 28, 2020:** On motion to recommit with instructions Failed by the Yeas and Nays: 187 - 220 (Roll no. 77).
- **Feb 28, 2020:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 213 - 195 (Roll no. 78).
- **Feb 28, 2020:** On passage Passed by the Yeas and Nays: 213 - 195 (Roll no. 78). (text: CR H1257-1262)
- **Feb 28, 2020:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 27, 2020:** Rule H. Res. 866 passed House.
- **Feb 26, 2020:** Rules Committee Resolution H. Res. 866 Reported to House. Rule provides for consideration of H.R. 2339 with 1 hour and 30 minutes of general debate. Motion to recommit with or without instructions allowed.
- **Feb 21, 2020:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 116-402.
- **Feb 21, 2020:** Placed on the Union Calendar, Calendar No. 324.
- **Nov 19, 2019:** Committee Consideration and Mark-up Session Held.
- **Nov 19, 2019:** Ordered to be Reported (Amended) by the Yeas and Nays: 28 - 24.
- **Nov 13, 2019:** Subcommittee Consideration and Mark-up Session Held.
- **Nov 13, 2019:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Oct 16, 2019:** Subcommittee Hearings Held.
- **Apr 19, 2019:** Referred to the Subcommittee on Health.
- **Apr 18, 2019:** Introduced in House
- **Apr 18, 2019:** Referred to the House Committee on Energy and Commerce.

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