

## 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)

| Cosponsor                                   | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| 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.