

## HR 2486

### FUTURE Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** House

**Policy Area:** Education

**Introduced:** May 2, 2019

**Current Status:** Message on House action received in Senate and at desk: House amendments to Senate amendment.

**Latest Action:** Message on House action received in Senate and at desk: House amendments to Senate amendment.  
(Jul 23, 2020)

**Official Text:** <https://www.congress.gov/bill/116th-congress/house-bill/2486>

### Sponsor

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**Name:** Rep. Adams, Alma S. [D-NC-12]

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

Cosponsors (28 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Walker, Mark [R-NC-6]	R · NC		May 2, 2019
Rep. Cole, Tom [R-OK-4]	R · OK		Jul 16, 2019
Rep. Torres Small, Xochitl [D-NM-2]	D · NM		Jul 16, 2019
Rep. Gohmert, Louie [R-TX-1]	R · TX		Aug 16, 2019
Rep. O'Halleran, Tom [D-AZ-1]	D · AZ		Aug 16, 2019
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		Aug 23, 2019
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Aug 23, 2019
Del. Sablan, Gregorio Kilili Camacho [D-MP-At Large]	D · MP		Sep 10, 2019
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Sep 10, 2019
Rep. Lujan, Ben Ray [D-NM-3]	D · NM		Sep 10, 2019
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Sep 10, 2019
Rep. Cohen, Steve [D-TN-9]	D · TN		Sep 11, 2019
Rep. Cooper, Jim [D-TN-5]	D · TN		Sep 11, 2019
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		Sep 11, 2019
Rep. Harder, Josh [D-CA-10]	D · CA		Sep 11, 2019
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		Sep 11, 2019
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Sep 11, 2019
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Sep 16, 2019
Rep. Budd, Ted [R-NC-13]	R · NC		Sep 16, 2019
Rep. Cisneros, Gilbert Ray, Jr. [D-CA-39]	D · CA		Sep 16, 2019
Rep. Horn, Kendra S. [D-OK-5]	D · OK		Sep 16, 2019
Rep. Kustoff, David [R-TN-8]	R · TN		Sep 16, 2019
Rep. Price, David E. [D-NC-4]	D · NC		Sep 16, 2019
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Sep 17, 2019
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Sep 17, 2019
Rep. Haaland, Debra A. [D-NM-1]	D · NM		Sep 17, 2019
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Sep 17, 2019
Rep. Rose, Max [D-NY-11]	D · NY		Sep 17, 2019

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	May 2, 2019

Subjects & Policy Tags

Policy Area:

Education

## Related Bills

Bill	Relationship	Last Action
116 HR 4674	Related bill	<b>Dec 28, 2020:</b> Placed on the Union Calendar, Calendar No. 583.
116 HR 5133	Related bill	<b>Dec 24, 2020:</b> Placed on the Union Calendar, Calendar No. 578.
116 HRES 891	Related bill	<b>Mar 11, 2020:</b> Motion to reconsider laid on the table Agreed to without objection.
116 HR 2214	Related bill	<b>Mar 5, 2020:</b> Placed on the Union Calendar, Calendar No. 333.
116 HR 5581	Related bill	<b>Mar 5, 2020:</b> Placed on the Union Calendar, Calendar No. 332.
116 HR 5363	Related bill	<b>Dec 19, 2019:</b> Became Public Law No: 116-91.
116 HR 3991	Related bill	<b>Nov 21, 2019:</b> Ordered to be Reported (Amended).
116 HR 4398	Related bill	<b>Oct 2, 2019:</b> Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
116 S 1346	Related bill	<b>May 7, 2019:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
116 S 1279	Identical bill	<b>May 2, 2019:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
116 HR 640	Related bill	<b>Jan 17, 2019:</b> Referred to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

This bill contains provisions related to education, immigration, and drug regulation and litigation.

The Department of Education (ED) shall advise each student and borrower applying for federal student aid or other programs related to student aid that ED may request the applicant's tax return from the Internal Revenue Service as necessary.

The bill also increases the funding authorized for Pell Grants.

## TITLE I--NO BAN ACT

### *National Origin-Based Antidiscrimination for Nonimmigrants Act or the NO BAN Act*

This title imposes limitations on the President's authority to suspend or restrict aliens from entering the United States and terminates certain presidential actions implementing such restrictions. It also prohibits religious discrimination in various immigration-related decisions, such as whether to issue an immigrant or non-immigrant visa, unless there is a statutory basis for such discrimination.

The President may temporarily restrict the entry of any aliens or class of aliens after the Department of State determines that the restriction would address specific and credible facts that threaten U.S. interests such as security or public safety.

This title also imposes limitations on such restrictions, such as requiring the President, State Department, and the Department of Homeland Security (DHS) to (1) only issue a restriction when required to address a compelling government interest, and (2) narrowly tailor the suspension to use the least restrictive means to achieve such an interest.

Before imposing a restriction, the State Department and DHS shall consult with Congress. The State Department and DHS shall report to Congress about the restriction within 48 hours of the restriction's imposition. If such a report is not made, the restriction shall immediately terminate.

Individuals or entities present in the United States and unlawfully harmed by such a restriction may sue in federal court.

## TITLE II--AFFORDABLE PRESCRIPTIONS FOR PATIENTS ACT OF 2020

### *Affordable Prescriptions for Patients Act of 2020*

This title prohibits drug manufacturers from actions related to *product hopping* (generally actions seen as attempts to switch from selling one drug to another largely similar drug in order to limit generic competition). This title also imposes certain restrictions on patent infringement litigation related to biological products and biosimilars.

A manufacturer of a reference drug or biological product shall, with certain exceptions, be deemed to have engaged in unfair competition if the manufacturer (1) takes certain actions related to the reference product, such as stopping its manufacture; (2) takes such an action during a certain time period that starts when it receives notice that another company has applied to market a generic or biosimilar version of the reference product; and (3) markets a follow-on product (generally, a drug or biological product that is a modification or reformulation of the reference product).

Such actions shall not be unfair competition if the reference product manufacturer justifies its actions, such as by establishing that it switched to the follow-on product due to safety concerns related to the reference product.

The Federal Trade Commission may enforce this title by initiating administrative proceedings against the reference product manufacturer or suing in district court.

This title also limits, with some exceptions, the number of certain types of patents that a reference biological product manufacturer may assert in an infringement lawsuit against a company that (1) is applying for Food and Drug Administration (FDA) approval of a product that is biosimilar to the reference product, and (2) references the reference product in its application. This limit generally applies to patents that (1) have a filing date more than four years after the reference product received FDA approval, or (2) claim a manufacturing process method that the reference product manufacturer is not using.

To take advantage of this limit, the company seeking FDA approval for its biosimilar product must take certain actions, such as providing a copy of its application to the reference product manufacturer.

The court handling such a patent infringement lawsuit may allow the reference product manufacturer to assert more patents than the limit if there is good cause to do so or if the interest of justice so requires.

### TITLE III--ACCESS TO COUNSEL ACT OF 2020

#### *Access to Counsel Act of 2020*

This title provides various protections for covered individuals subject to secondary or deferred inspections when seeking admission into the United States. Covered individuals include U.S. nationals, lawful permanent residents, aliens in possession of a visa, and refugees.

The Department of Homeland Security shall ensure that a covered individual subject to secondary or deferred inspection has a meaningful opportunity to consult with counsel and certain related parties, such as a relative, within an hour of the start of the secondary inspection and as necessary during the inspection process. The counsel and related party shall be allowed to advocate on behalf of the covered individual, including by providing evidence and information to the examining immigration officer.

A lawful permanent resident subject to secondary or deferred inspection may not abandon lawful permanent resident status until the individual has had a reasonable opportunity to seek advice from counsel, unless the individual voluntarily and knowingly waives in writing this opportunity to seek counsel's advice.

## Actions Timeline

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- **Jul 23, 2020:** Message on House action received in Senate and at desk: House amendments to Senate amendment.
- **Jul 22, 2020:** Pursuant to H. Res. 891, Ms. Jayapal was recognized to move that the House concur in the Senate amendment to H.R. 2486 with amendments specified in section 4 of H. Res. 891. (consideration: CR H3625-3638, H3666)
- **Jul 22, 2020:** DEBATE - Pursuant H. Res. 891, the question shall be divided among the two House amendments. Pursuant to section 3(a) of H. Res. 891, the portion of the divided question comprising of the amendment specified in section 4(a) of H. Res. 891 shall be considered first. Each amendment specified in section 4 shall be debatable for one hour.
- **Jul 22, 2020:** DEBATE - The House resumed debate on the House amendment to the Senate amendment.
- **Jul 22, 2020:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jayapal motion that the House concur in the Senate amendment with an amendment specified in section 4(a) of H. Res. 891, the Chair put the question on adoption of the motion and by voice vote, announced that the ayes had prevailed. Mr. Nadler demanded the yeas and nays and the Chair postponed further proceedings on the motion until a time to be announced.
- **Jul 22, 2020:** Pursuant to H. Res. 891, the House proceeded with one hour of debate on the motion that the House concur in the Senate amendment with an amendment specified in section 4(b). (consideration: CR H3638-3642, H3666-3667)
- **Jul 22, 2020:** The previous question was ordered pursuant to the rule.
- **Jul 22, 2020:** POSTPONED PROCEEDINGS - 1At the conclusion of debate on the Jayapal motion that the House concur in the Senate amendment with an amendment specified in section 4(b) of H. Res. 891, the Chair put the question on adoption of the motion and by voice vote, announced that the ayes had prevailed. Mr. Nadler demanded the yeas and nays and the Chair postponed further proceedings on the motion until a time to be announced.
- **Jul 22, 2020:** Resolving differences -- House actions: On motion to concur in the Senate amendment with amendment specified in section 4(a) of H. Res. 891 Agreed to by the Yeas and Nays: 233 - 183 (Roll no. 153).(text: CR H3625-3628)
- **Jul 22, 2020:** On motion to concur in the Senate amendment with amendment specified in section 4(a) of H. Res. 891 Agreed to by the Yeas and Nays: 233 - 183 (Roll no. 153). (text: CR H3625-3628)
- **Jul 22, 2020:** Resolving differences -- House actions: On motion to concur in the Senate amendment with amendment specified in section 4(b) of H. Res. 891 Agreed to by the Yeas and Nays: 231 - 184 (Roll no. 154).(text: CR H3638-3639)
- **Jul 22, 2020:** On motion to concur in the Senate amendment with amendment specified in section 4(b) of H. Res. 891 Agreed to by the Yeas and Nays: 231 - 184 (Roll no. 154). (text: CR H3638-3639)
- **Jul 22, 2020:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 10, 2020:** Rules Committee Resolution H. Res. 891 Reported to House. Rule provides for consideration of S.J. Res. 68, H.R. 2486 and H.R. 6172. Resolution provides for consideration of S.J. Res. 68, the Senate amendment to H.R. 2486, and H.R. 6172. For S.J. Res. 68, the resolution provides for 1 hour of debate and 1 motion to commit. For the Senate amendment to H.R. 2486, the question will be divided and each portion will have 1 hour of debate. H.R. 6172 will have 1 hour of debate and 1 motion to recommit with or without instructions.
- **Dec 9, 2019:** Message on Senate action sent to the House.
- **Dec 5, 2019:** Measure laid before Senate by unanimous consent. (consideration: CR S6865)
- **Dec 5, 2019:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **Dec 5, 2019:** Passed Senate with an amendment by Voice Vote.
- **Sep 23, 2019:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 212.
- **Sep 19, 2019:** Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Sep 18, 2019:** Received in the Senate.
- **Sep 17, 2019:** Ms. Adams moved to suspend the rules and pass the bill, as amended.
- **Sep 17, 2019:** Considered under suspension of the rules. (consideration: CR H7734-7737)
- **Sep 17, 2019:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2486.
- **Sep 17, 2019:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H7734-7735)
- **Sep 17, 2019:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H7734-7735)
- **Sep 17, 2019:** Motion to reconsider laid on the table Agreed to without objection.

**May 2, 2019:** Introduced in House

- **May 2, 2019:** Referred to the House Committee on Education and Labor.