

HRES 1434

Reaffirming the preemptive authority of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Public Health Service Act (42 U.S.C. 201 et seq.) (including regulations thereunder) with respect to State laws that inhibit access to or use of any reproductive health product.

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Health

Introduced: Oct 14, 2022

Current Status: Pursuant to the provisions of H. Res. 1529, H. Res. 1434 is considered passed House.

Latest Action: Pursuant to the provisions of H. Res. 1529, H. Res. 1434 is considered passed House. (Dec 21, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/house-resolution/1434>

Sponsor

Name: Rep. Jones, Mondaire [D-NY-17]

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

Cosponsors (38 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC | | Oct 14, 2022 |
| Rep. Auchincloss, Jake [D-MA-4] | D · MA | | Oct 14, 2022 |
| Rep. Bowman, Jamaal [D-NY-16] | D · NY | | Oct 14, 2022 |
| Rep. Bush, Cori [D-MO-1] | D · MO | | Oct 14, 2022 |
| Rep. Carson, Andre [D-IN-7] | D · IN | | Oct 14, 2022 |
| Rep. Carter, Troy [D-LA-2] | D · LA | | Oct 14, 2022 |
| Rep. Cherfilus-McCormick, Sheila [D-FL-20] | D · FL | | Oct 14, 2022 |
| Rep. Cohen, Steve [D-TN-9] | D · TN | | Oct 14, 2022 |
| Rep. DeGette, Diana [D-CO-1] | D · CO | | Oct 14, 2022 |
| Rep. Espallat, Adriano [D-NY-13] | D · NY | | Oct 14, 2022 |
| Rep. Evans, Dwight [D-PA-3] | D · PA | | Oct 14, 2022 |
| Rep. Garcia, Jesus G. "Chuy" [D-IL-4] | D · IL | | Oct 14, 2022 |
| Rep. Gomez, Jimmy [D-CA-34] | D · CA | | Oct 14, 2022 |
| Rep. Jackson Lee, Sheila [D-TX-18] | D · TX | | Oct 14, 2022 |
| Rep. Jacobs, Sara [D-CA-53] | D · CA | | Oct 14, 2022 |
| Rep. Khanna, Ro [D-CA-17] | D · CA | | Oct 14, 2022 |
| Rep. Larson, John B. [D-CT-1] | D · CT | | Oct 14, 2022 |
| Rep. Lee, Barbara [D-CA-13] | D · CA | | Oct 14, 2022 |
| Rep. Lofgren, Zoe [D-CA-19] | D · CA | | Oct 14, 2022 |
| Rep. Lowenthal, Alan S. [D-CA-47] | D · CA | | Oct 14, 2022 |
| Rep. Maloney, Carolyn B. [D-NY-12] | D · NY | | Oct 14, 2022 |
| Rep. Nadler, Jerrold [D-NY-10] | D · NY | | Oct 14, 2022 |
| Rep. Newman, Marie [D-IL-3] | D · IL | | Oct 14, 2022 |
| Rep. Speier, Jackie [D-CA-14] | D · CA | | Oct 14, 2022 |
| Rep. Takano, Mark [D-CA-41] | D · CA | | Oct 14, 2022 |
| Rep. Titus, Dina [D-NV-1] | D · NV | | Oct 14, 2022 |
| Rep. Vargas, Juan [D-CA-51] | D · CA | | Oct 14, 2022 |
| Rep. Velazquez, Nydia M. [D-NY-7] | D · NY | | Oct 14, 2022 |
| Rep. Wilson, Frederica S. [D-FL-24] | D · FL | | Oct 14, 2022 |
| Rep. Chu, Judy [D-CA-27] | D · CA | | Nov 3, 2022 |
| Rep. Green, Al [D-TX-9] | D · TX | | Nov 3, 2022 |
| Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4] | D · GA | | Nov 3, 2022 |
| Rep. Porter, Katie [D-CA-45] | D · CA | | Nov 3, 2022 |
| Rep. Welch, Peter [D-VT-At Large] | D · VT | | Nov 3, 2022 |
| Rep. DeSaulnier, Mark [D-CA-11] | D · CA | | Dec 1, 2022 |
| Rep. Lieu, Ted [D-CA-33] | D · CA | | Dec 1, 2022 |
| Rep. Gottheimer, Josh [D-NJ-5] | D · NJ | | Dec 12, 2022 |
| Rep. Grijalva, Raúl M. [D-AZ-3] | D · AZ | | Dec 12, 2022 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|--------------|
| Energy and Commerce Committee | House | Referred to | Oct 17, 2022 |
| Judiciary Committee | House | Referred To | Oct 14, 2022 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

| Bill | Relationship | Last Action |
|-------------------------------|----------------------|--|
| 117 HRES 1529 | Procedurally related | Dec 21, 2022: Motion to reconsider laid on the table Agreed to without objection. |

Summary (as of Dec 21, 2022)

This resolution affirms that there is well-established authority for the Food and Drug Administration to approve, license, and otherwise regulate reproductive health products under the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act.

The resolution also affirms that (1) such federal laws preempt (i.e., supersede conflicting state or local laws) any state or local laws that prohibit or limit access to or use of any reproductive health product, and (2) the Department of Justice has authority to enforce the preemptive effect of such federal laws by suing any state or political subdivision of a state that prohibits or limits access to or use of any reproductive health product.

Actions Timeline

- **Dec 21, 2022:** Passed/agreed to in House: Pursuant to the provisions of H. Res. 1529, H. Res. 1434 is considered passed House.
- **Dec 21, 2022:** Pursuant to the provisions of H. Res. 1529, H. Res. 1434 is considered passed House.
- **Oct 17, 2022:** Referred to the Subcommittee on Health.
- **Oct 14, 2022:** Introduced in House
- **Oct 14, 2022:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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.