

116TH CONGRESS
1ST SESSION

S. 1048

To amend the Public Health Service Act to provide for a Reducing Youth Use of E-Cigarettes Initiative.

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2019

Mr. BLUMENTHAL (for himself, Mr. WYDEN, Mr. MERKLEY, Mr. REED, Mr. DURBIN, Mr. BROWN, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for a Reducing Youth Use of E-Cigarettes Initiative.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Opportuni-
5 ties for Teen E-Cigarette and Tobacco Addiction” or the
6 “PROTECT Act”.

1 **SEC. 2. REDUCING YOUTH USE OF E-CIGARETTES INITIA-**
2 **TIVE.**

3 The Public Health Service Act is amended by insert-
4 ing after section 317T of such Act (42 U.S.C. 247b–22)
5 the following:

6 **“SEC. 317U. REDUCING YOUTH USE OF E-CIGARETTES INI-**
7 **TIATIVE.**

8 “(a) IN GENERAL.—The Secretary, acting through
9 the Director of the Centers for Disease Control and Pre-
10 vention, shall carry out an initiative, to be known as the
11 Reducing Youth Use of E-Cigarettes Initiative, which shall
12 include the following:

13 “(1) Conducting research (including by using
14 rapid surveillance methods), on use by youth and
15 young adults of electronic cigarettes and emerging
16 tobacco products, including research on—

17 “(A) the types of products youth and
18 young adults use;

19 “(B) patterns of products used by youth
20 and young adults, including initiation, fre-
21 quency of use, use in combination with other to-
22 bacco products, and use of flavors;

23 “(C) the association between the use by
24 youth and young adults of electronic cigarettes
25 and smoking initiation;

1 “(D) use of electronic cigarettes and
2 emerging tobacco products among different de-
3 mographic groups;

4 “(E) the means by which youth and young
5 adults access electronic cigarettes and emerging
6 tobacco products, and methods of distribution
7 of such products;

8 “(F) youth and young adult exposure to
9 advertising of electronic cigarettes and emerg-
10 ing tobacco products;

11 “(G) marketing and advertising strategies
12 used by manufacturers, including the channels
13 and messaging used and strategies that target
14 different demographic groups;

15 “(H) the reasons youth and young adults
16 use such products;

17 “(I) the extent to which youth and young
18 adult electronic cigarette users are nicotine de-
19 pendent; and

20 “(J) youth and young adult motivation to
21 quit using electronic cigarettes.

22 “(2) Conducting research on—

23 “(A) the characteristics and nicotine deliv-
24 ery technology of electronic cigarettes and
25 emerging tobacco products; and

1 “(B) biomarkers of exposure to electronic
2 cigarettes and emerging tobacco products and
3 resulting health impacts from such exposure.

4 “(3) Identifying effective messages to youth and
5 young adults, parents, clinicians, health profes-
6 sionals, and others who work or interact with youth
7 and young adults for preventing use of electronic
8 cigarettes and emerging tobacco products.

9 “(4) Developing and implementing a campaign,
10 in coordination with the Surgeon General of the
11 Public Health Service, to educate youth and young
12 adults, parents, clinicians, health professionals, and
13 others about—

14 “(A) the rapidly evolving tobacco product
15 landscape; and

16 “(B) the harms associated with the use by
17 youth and young adults of electronic cigarettes
18 and other emerging products.

19 “(5) Providing funding through grants, cooper-
20 ative agreements, or contracts to State, territorial,
21 Tribal, and local health departments, community or-
22 ganizations, national and Tribal organizations, or
23 State and local educational agencies, as appropriate,
24 for preventing and reducing the use by youth and

1 young adults of electronic cigarettes and emerging
2 tobacco products.

3 “(6) Informing the development, implementa-
4 tion, and evaluation of evidence-based policies to
5 prevent the initiation and use of emerging tobacco
6 products among youth and young adults.

7 “(b) NO DUPLICATION.—The Secretary shall ensure
8 that activities under this section do not duplicate other
9 activities of the Department of Health and Human Serv-
10 ices.

11 “(c) STRATEGY.—Not later than 90 days after the
12 date of enactment of this section, the Secretary shall sub-
13 mit to the Committee on Health, Education, Labor, and
14 Pensions of the Senate and the Committee on Energy and
15 Commerce of the House of Representatives, and make
16 available to the public on the Internet website of the De-
17 partment of Health and Human Services, a strategy for
18 carrying out the Reducing Youth Use of E-Cigarettes Ini-
19 tiative.

20 “(d) AUTHORIZATION OF APPROPRIATIONS.—To
21 carry out this section, there is authorized to be appro-
22 priated \$100,000,000 for each of fiscal years 2020
23 through 2024.”.

○