

117TH CONGRESS
1ST SESSION

S. 2974

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

OCTOBER 7, 2021

Mr. BLUMENTHAL (for himself, Mr. BROWN, Ms. BALDWIN, Mr. REED, 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 Act” or
6 the “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 317U of such Act (42 U.S.C. 247b–23)
5 the following:

6 **“SEC. 317V. 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 en-
14 hancing State-level surveillance and by using rapid
15 surveillance methods) on use by youth and young
16 adults of electronic cigarettes and emerging tobacco
17 products, including research on—

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

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

24 “(C) the association between the use by
25 youth and young adults of electronic cigarettes
26 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 electronic cigarettes and emerging tobacco
8 products;

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

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

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

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

21 “(J) patterns of youth and young adult
22 electronic cigarette cessation behaviors, includ-
23 ing patterns in motivation to quit, quit at-
24 tempts, successful cessation, and associated fac-
25 tors; and

1 “(K) resources youth and young adults are
2 using to quit tobacco use.

3 “(2) Conducting research on—

4 “(A) the characteristics and nicotine deliv-
5 ery technology of electronic cigarettes and
6 emerging tobacco products;

7 “(B) biomarkers of exposure to electronic
8 cigarettes and emerging tobacco products and
9 resulting health impacts from such exposure;
10 and

11 “(C) the levels of nicotine in electronic
12 cigarettes and emerging tobacco products.

13 “(3) Developing and disseminating guidance for
14 health care providers, schools, and other entities as
15 appropriate on intervening with, and treating, youth
16 and young adults who use electronic cigarettes and
17 other emerging tobacco products.

18 “(4) Identifying promising strategies to—

19 “(A) prevent and reduce the use by youth
20 and young adults of electronic cigarettes and
21 emerging tobacco products;

22 “(B) identify and develop cessation strate-
23 gies and quit support that are appropriate for
24 youth and young adults; and

1 “(C) improve access to, and the delivery of
2 tobacco cessation services for, youth and young
3 adults, including the use of technology-delivered
4 services.

5 “(5) Identifying effective messages and commu-
6 nication efforts that prevent initiation of tobacco
7 product use and reduce use, including the use of
8 electronic cigarettes and emerging tobacco products,
9 among youth and young adults.

10 “(6) Developing and implementing a campaign,
11 in coordination with the Surgeon General, to reduce
12 tobacco initiation and use by youth and young
13 adults, and to educate the public about—

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

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

19 “(C) culturally competent strategies for in-
20 tervening with youth and young adults who use
21 tobacco and providing or directing them to ap-
22 propriate cessation services.

23 “(7) Continuing to provide funding through the
24 Centers for Disease Control and Prevention’s Na-
25 tional Tobacco Control Program cooperative agree-

ment to State, local, territorial, and island health departments and Tribal organizations, as appropriate, for—

“(A) preventing and reducing the use by youth and young adults of electronic cigarettes and emerging tobacco products; and

“(B) improving access to and delivery of cessation strategies that are appropriate for services to youth and young adults addicted to nicotine, including through quitlines and provider education on cessation services available through the Medicaid program under title XIX of the Social Security Act and the Children’s Health Insurance Program under title XXI of such Act.

“(8) Evaluating State, community, and school-based strategies for—

“(A) preventing the initiation and use of electronic cigarettes and emerging tobacco products among youth and young adults; and

“(B) intervening with youth and young adults who use tobacco and providing or directing them to appropriate cessation services.

“(b) NO DUPLICATION.—The Secretary shall ensure that activities under this section do not duplicate other

1 activities of the Department of Health and Human Serv-
2 ices.

3 “(c) STRATEGY.—Not later than 90 days after the
4 date of enactment of this section, the Secretary shall sub-
5 mit to the Committee on Health, Education, Labor, and
6 Pensions of the Senate and the Committee on Energy and
7 Commerce of the House of Representatives, and make
8 available to the public on the internet website of the De-
9 partment of Health and Human Services, a strategy for
10 carrying out the Reducing Youth Use of E-Cigarettes Ini-
11 tiative.

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—To
13 carry out this section, there is authorized to be appro-
14 priated \$100,000,000 for each of fiscal years 2022
15 through 2026.”.

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