

117TH CONGRESS
1ST SESSION

H. R. 5829

To prohibit federally funded COVID–19 vaccine mandates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2021

Mr. TIMMONS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Reform, Education and Labor, and Ways and Means, 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

A BILL

To prohibit federally funded COVID–19 vaccine mandates,
and for other purposes.

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 “COVID–19 Individual
5 Liberty Act of 2021”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Vaccine mandate for Federal contractors and subcontractors.

Sec. 4. Nullification of vaccine mandate for executive branch employees.

Sec. 5. No Federal funding for COVID–19 vaccine mandates.

Sec. 6. Prohibition on implementation of COVID–19 vaccination mandate under the Medicare and Medicaid programs.

Sec. 7. Guidelines on natural immunity as a suitable alternative to being fully vaccinated.

Sec. 8. Prohibition against Federal issuance of, or discrimination based on vaccine passports.

1 **SEC. 3. VACCINE MANDATE FOR FEDERAL CONTRACTORS**
 2 **AND SUBCONTRACTORS.**

3 (a) IN GENERAL.—Executive Order 14042 (86 Fed.
 4 Reg. 50985; relating to ensuring adequate COVID safety
 5 protocols for Federal contractors) shall have no force or
 6 effect.

7 (b) EFFECTIVE DATE.—This section shall take effect
 8 as if enacted on September 9, 2021.

9 **SEC. 4. NULLIFICATION OF VACCINE MANDATE FOR EXECU-**
 10 **TIVE BRANCH EMPLOYEES.**

11 (a) IN GENERAL.—Executive Order 14043 (86 Fed.
 12 Reg. 50989; relating to requiring coronavirus disease
 13 2019 vaccination for Federal employees) shall have no
 14 force or effect.

15 (b) EFFECTIVE DATE.—This section shall take effect
 16 as if enacted on September 14, 2021.

17 **SEC. 5. NO FEDERAL FUNDING FOR COVID–19 VACCINE**
 18 **MANDATES.**

19 (a) IN GENERAL.—No Federal funds may be used
 20 to implement or enforce (including through promulgation
 21 of any rule) a COVID–19 vaccine mandate.

1 (b) DEFINITIONS.—In this section:

2 (1) COVID–19 VACCINE.—The term “COVID–
3 19 vaccine” means an immunization that is intended
4 to prevent or mitigate COVID–19.

5 (2) COVID–19 VACCINE MANDATE.—The term
6 “COVID–19 vaccine mandate” means any require-
7 ment that an individual receive a COVID–19 vac-
8 cine, including—

9 (A) any such requirement as a condition
10 on becoming or remaining a Federal employee,
11 contractor, or subcontractor; or

12 (B) any requirement that a non-Federal
13 employer require an employee, contractor, or
14 subcontractor thereof to receive a COVID–19
15 vaccine.

16 (3) NON-FEDERAL EMPLOYER.—The term
17 “non-Federal employer”—

18 (A) means any person (other than the Fed-
19 eral Government) engaged in a business in or
20 affecting interstate commerce; and

21 (B) includes a State or political subdivision
22 of a State to the extent it is engaged in such
23 a business.

1 **SEC. 6. PROHIBITION ON IMPLEMENTATION OF COVID-19**
2 **VACCINATION MANDATE UNDER THE MEDI-**
3 **CARE AND MEDICAID PROGRAMS.**

4 Notwithstanding any provision of title XI, XVIII, or
5 XIX of the Social Security Act (42 U.S.C. 1301 et seq.,
6 1395 et seq., 1396 et seq.), the Secretary of Health and
7 Human Services may not—

8 (1) require a health care provider, as a condi-
9 tion of participation in the Medicare or Medicaid
10 program, to mandate vaccination of employees
11 against COVID-19; or

12 (2) otherwise penalize such a provider for such
13 provider's failure to so mandate such vaccination.

14 **SEC. 7. GUIDELINES ON NATURAL IMMUNITY AS A SUIT-**
15 **ABLE ALTERNATIVE TO BEING FULLY VAC-**
16 **CINATED.**

17 Not later than 90 days after the date of enactment
18 of this Act, the Secretary of Health and Human Services
19 shall publish guidelines on the extent to which natural im-
20 munity provides protection from contracting or spreading
21 COVID-19 that is at least equivalent to the immunity pro-
22 vided by vaccination.

1 **SEC. 8. PROHIBITION AGAINST FEDERAL ISSUANCE OF, OR**
2 **DISCRIMINATION BASED ON VACCINE PASS-**
3 **PORTS.**

4 (a) **FEDERAL GOVERNMENT.**—The Federal Govern-
5 ment shall not—

6 (1) issue any vaccine passport; or

7 (2) discriminate against any person by requir-
8 ing documentation certifying COVID–19 vaccination,
9 or post-transmission recovery, as a condition on the
10 provision of any service or benefit.

11 (b) **STATE, TRIBAL, AND LOCAL GOVERNMENTS.**—

12 (1) **PROHIBITION.**—As a condition on receipt of
13 any Federal funds made available by or under any
14 of the Acts listed in paragraph (2), no State, Tribal,
15 or local government shall—

16 (A) issue any vaccine passport; or

17 (B) discriminate against any person by re-
18 quiring documentation certifying COVID–19
19 vaccination, or post-transmission recovery, as a
20 condition on the provision of any service or ben-
21 efit.

22 (2) **SPECIFIED ACTS.**—The Acts listed in this
23 paragraph are the following:

24 (A) The Coronavirus Preparedness and
25 Response Supplemental Appropriations Act,
26 2020 (Public Law 116–123).

1 (B) The Families First Coronavirus Re-
2 sponse Act (Public Law 116–127).

3 (C) The CARES Act (Public Law 116–
4 136).

5 (D) The Paycheck Protection Program and
6 Health Care Enhancement Act (Public Law
7 116–139).

8 (E) The American Rescue Plan Act of
9 2021 (Public Law 117–2).

10 (3) EXCEPTION.—Paragraph (1) does not apply
11 with respect to a school, including any kindergarten,
12 elementary school, secondary school, and institution
13 of higher education.

14 (c) DEFINITION.—In this section, the term “vaccine
15 passport”—

16 (1) means any standardized documentation for
17 the purpose of certifying an individual’s COVID–19
18 vaccination status to a third party; and

19 (2) excludes any documentation to the extent it
20 is issued for the purpose of health care records.

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