

117TH CONGRESS  
2D SESSION

# H. R. 9404

To amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from placing any vaccine for COVID–19 on the child and adolescent immunization schedule unless the Secretary has posted on the public website of the Centers for Disease Control and Prevention all clinical data in the possession of the Department of Health and Human Services relating to the safety and efficacy of such vaccine, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 2, 2022

Mr. BIGGS (for himself, Mrs. MILLER of Illinois, Mr. HIGGINS of Louisiana, Mr. GOSAR, Mr. BUCK, Mrs. BOEBERT, Mr. TIFFANY, Mr. WEBER of Texas, Mr. JACKSON, Mr. ROY, and Mr. STEUBE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from placing any vaccine for COVID–19 on the child and adolescent immunization schedule unless the Secretary has posted on the public website of the Centers for Disease Control and Prevention all clinical data in the possession of the Department of Health and Human Services relating to the safety and efficacy of such vaccine, 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 “Protecting Our Chil-  
5       dren from the CDC Act”.

6       **SEC. 2. POSTING OF ALL CLINICAL DATA FOR COVID-19**  
7                       **VACCINES BEFORE PLACEMENT ON CHILD**  
8                       **AND ADOLESCENT SCHEDULE.**

9       Part C of subtitle 2 of title XXI of the Public Health  
10      Service Act (42 U.S.C. 300aa–25 et seq.) is amended by  
11      adding at the end the following:

12     **“SEC. 2129. POSTING OF ALL CLINICAL DATA FOR COVID-19**  
13                       **VACCINES BEFORE PLACEMENT ON CHILD**  
14                       **AND ADOLESCENT SCHEDULE.**

15       “(a) NO INCLUSION OF COVID VACCINES.—The  
16      Secretary, and any official, agency, or office of the Depart-  
17      ment of Health and Human Services (including the Cen-  
18      ters for Disease Control and Prevention and the Advisory  
19      Committee of Immunization Practices), shall not include  
20      any vaccine for COVID–19 on the child and adolescent  
21      immunization schedule unless the Secretary has posted on  
22      the public website of the Centers for Disease Control and  
23      Prevention all clinical data in the possession of the De-  
24      partment of Health and Human Services (including the  
25      Advisory Committee of Immunization Practices) relating

1 to the safety and efficacy (including any adverse effects)  
2 of such vaccine. All such data posted under this subsection  
3 shall be deidentified to protect all individually identifiable  
4 health information, and information with respect to the  
5 agency and sponsor personnel of the data involved.

6 “(b) VACCINES ALREADY ON SCHEDULE AS OF EN-  
7 ACTMENT.—

8 “(1) REMOVAL.—Any vaccine for COVID–19  
9 that is included on the child and adolescent immuni-  
10 zation schedule as of the date of enactment of this  
11 section is hereby deemed to be removed from such  
12 schedule.

13 “(2) ADMINISTRATIVE ACTION.—The Secretary  
14 shall take such actions as may be necessary to effec-  
15 tuate the removal of a vaccine from the child and  
16 adolescent immunization schedule by operation of  
17 paragraph (1).

18 “(3) RULE OF CONSTRUCTION.—The removal  
19 of a vaccine from the child and adolescent immuni-  
20 zation schedule by operation of paragraph (1) shall  
21 not be construed to affect the authority of the Sec-  
22 retary (or other officials, agencies, or offices) to  
23 place such vaccine back on such schedule so long as  
24 such placement is in accordance with subsection (a)  
25 and other applicable provisions of law.

1       “(c) DEFINITION.—In this section, the term ‘child  
2 and adolescent immunization schedule’ means the child  
3 and adolescent immunization schedule of the Advisory  
4 Committee of Immunization Practices (or any successor  
5 schedule).”.

