

117TH CONGRESS  
1ST SESSION

# H. R. 5360

To nullify certain executive orders regarding COVID–19 vaccine mandates and to prohibit the Secretary of Labor from issuing a rule mandating vaccination against COVID–19, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2021

Mr. BIGGS (for himself, Mr. MASSIE, Mr. ROSENDALE, Mr. DUNCAN, Mr. HICE of Georgia, Mr. GOOD of Virginia, Mr. GOHMERT, Mr. BROOKS, Mr. TAYLOR, Mr. SMITH of Missouri, Mr. WEBER of Texas, Mr. CLOUD, Mr. POSEY, Mrs. LESKO, Mr. MCCLINTOCK, Mr. BISHOP of North Carolina, Mr. ROY, Mr. HARRIS, Mrs. MILLER of Illinois, Mr. MOONEY, Mr. NORMAN, and Mrs. BOEBERT) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Education and Labor, Energy and Commerce, 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

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## A BILL

To nullify certain executive orders regarding COVID–19 vaccine mandates and to prohibit the Secretary of Labor from issuing a rule mandating vaccination against COVID–19, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Freedom from Man-  
3 dates Act”.

4 **SEC. 2. NULLIFICATION OF CERTAIN EXECUTIVE ORDERS.**

5       (a) **SAFETY PROTOCOLS FOR FEDERAL CONTRAC-**  
6 **TORS.**—Executive Order 14042 (86 Fed. Reg. 50985, re-  
7 lating to ensuring adequate COVID–19 safety protocols  
8 for Federal contractors) shall have no force or effect.

9       (b) **COVID–19 VACCINE REQUIREMENT.**—Executive  
10 Order 14043 (86 Fed. Reg. 50989, relating to requiring  
11 COVID–19 vaccination for Federal employees) shall have  
12 no force or effect.

13 **SEC. 3. PROHIBITION OF RULES MANDATING VACCINA-**  
14 **TION.**

15       The Secretary of Labor may not issue any rule re-  
16 quiring employers to mandate vaccination of employees  
17 against COVID–19 or requiring testing of employees who  
18 are unvaccinated against COVID–19.

19 **SEC. 4. PROHIBITION ON MEDICARE AND MEDICAID**  
20 **COVID–19 VACCINATION MANDATES.**

21       Notwithstanding any provision of title XI, XVIII, or  
22 XIX of the Social Security Act (42 U.S.C. 1301 et seq.,  
23 1395 et seq., 1396 et seq.), the Secretary of Health and  
24 Human Services may not require a health care provider,  
25 as a condition of participation in the Medicare or Medicaid  
26 program, to mandate vaccination of employees against

1 COVID–19 or require testing of employees who are  
2 unvaccinated against COVID–19, and may not otherwise  
3 penalize such a provider for such provider’s failure to so  
4 mandate such vaccination or so require such testing.

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