

117TH CONGRESS
1ST SESSION

H. R. 3762

To prohibit the use of any COVID–19 relief funds by a State or political subdivision thereof to develop or implement a vaccine passport system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2021

Mr. GALLAGHER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the use of any COVID–19 relief funds by a State or political subdivision thereof to develop or implement a vaccine passport system, 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 “No Vax Pass Act of
5 2021”.

1 **SEC. 2. PROHIBITION AGAINST USING COVID-19 RELIEF**
2 **FUNDS TO DEVELOP OR IMPLEMENT A VAC-**
3 **CINE PASSPORT SYSTEM.**

4 (a) PROHIBITION.—Notwithstanding any other provi-
5 sion of law (other than the exception in subsection (b)),
6 no COVID-19 relief funds may be used by a State or po-
7 litical subdivision thereof to develop or implement, or sup-
8 port the development or implementation of, a system for
9 providers of items or services (other than health care items
10 and services) to verify the COVID-19 vaccination status
11 of individuals receiving such items or services.

12 (b) EXCEPTION.—Subsection (a) does not preclude a
13 State educational agency, local educational agency, insti-
14 tution of higher education, secondary school, or elemen-
15 tary school from using COVID-19 relief funds for devel-
16 oping or implementing, or supporting the development or
17 implementation of, a system described in subsection (a)
18 with respect to their students and staff, so long as the
19 agency or school does not impose any condition relative
20 to COVID-19 vaccines that is stricter than the cor-
21 responding condition imposed by the agency or school rel-
22 ative to other vaccines.

23 (c) DEFINITIONS.—In this section:

24 (1) The term “COVID-19 relief funds” means
25 funds made available by any of the following:

1 (A) The Coronavirus Preparedness and
2 Response Supplemental Appropriations Act,
3 2020 (Public Law 116–123).

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

6 (C) The CARES Act (Public Law 116–
7 136).

8 (D) The Paycheck Protection Program and
9 Health Care Enhancement Act (Public Law
10 116–139).

11 (E) The Consolidated Appropriations Act,
12 2021 (Public Law 116–260).

13 (F) Any other Federal statute that makes
14 available funding specifically to address
15 COVID–19.

16 (2) The terms “elementary school”, “local edu-
17 cational agency”, “secondary school”, and “State
18 educational agency” have the meanings given to
19 such terms in section 8101 of the Elementary and
20 Secondary Education Act of 1965 (20 U.S.C. 7801).

21 (3) The term “institution of higher education”
22 has the meaning given to such term in section 101
23 of the Higher Education Act of 1965 (20 U.S.C.
24 1001).

- 1 (4) The term “State” includes the District of
2 Columbia and any territory of the United States.

