

## 117TH CONGRESS 1ST SESSION

# H. R. 5613

To prohibit the Federal Government from mandating vaccination against COVID-19 for interstate travel.

### IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2021

Mr. Cawthorn (for himself, Mr. Duncan, Mr. Biggs, Ms. Tenney, Mr. Steube, Mrs. Boebert, and Mr. Perry) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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 the Federal Government from mandating vaccination against COVID-19 for interstate travel.

- 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 "Let Me Travel America
- 5 Act".

### 1 SEC. 2. LIMITATION ON AUTHORITY OF SURGEON GEN-

- 2 ERAL.
- 3 Section 361 of the Public Health Service Act (42)
- 4 U.S.C. 264) is amended by adding at the end the fol-
- 5 lowing:
- 6 "(f) Nothing in this section shall be construed to pro-
- 7 vide the Surgeon General, the Secretary of Health and
- 8 Human Services, or any Federal agency with the authority
- 9 to mandate vaccination against Coronavirus Disease 2019
- 10 (COVID-19) as a prerequisite for interstate travel, trans-
- 11 portation, or movement.".
- 12 SEC. 3. INTERSTATE COMMON CARRIERS.
- 13 (a) IN GENERAL.—Chapter 805 of title 49, United
- 14 States Code, is amended by adding at the end the fol-
- 15 lowing:
- 16 "§ 80505. COVID-19 vaccination status
- 17 "(a) IN GENERAL.—An entity described in subsection
- 18 (b) may not deny service to any individual solely based
- 19 on the vaccination status of the individual with respect
- 20 to the Coronavirus Disease 2019 (COVID-19).
- 21 "(b) Entity Described.—An entity referred to in
- 22 subsection (a) is a common carrier or any other entity,
- 23 including a rail carrier (as defined in section 10102, in-
- 24 cluding Amtrak), a motor carrier (as defined in section
- 25 13102), a water carrier (as defined in that section), and
- 26 an air carrier (as defined in section 40102), that—

- 1 "(1) provides interstate transportation of pas-
- 2 sengers; and
- 3 "(2) is subject to the jurisdiction of the Depart-
- 4 ment of Transportation or the Surface Transpor-
- 5 tation Board under this title.
- 6 "(c) Savings Provision.—Nothing in this section
- 7 applies to the regulation of intrastate travel, transpor-
- 8 tation, or movement, including the intrastate transpor-
- 9 tation of passengers.".
- 10 (b) CLERICAL AMENDMENT.—The analysis for chap-
- 11 ter 805 of title 49, United States Code, is amended by
- 12 inserting after the item relating to section 80504 the fol-
- 13 lowing:

"80505. COVID-19 vaccination status.".

#### 14 SEC. 4. RULE OF CONSTRUCTION.

- Nothing in this Act, or an amendment made by this
- 16 Act, shall be construed to permit or otherwise authorize
- 17 Congress or an executive agency to enact or otherwise im-
- 18 pose a COVID-19 vaccine mandate.

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