H. R. 2414

To prohibit recipients of Federal COVID relief and Federal agencies from engaging in certain conduct that discriminates against individuals who have not been vaccinated against COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2021

Mr. LaMALFA introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Education and Labor, and Small Business, 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 recipients of Federal COVID relief and Federal agencies from engaging in certain conduct that discriminates against individuals who have not been vaccinated against COVID–19, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Keep Vaccines Voluntary Act”.

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SEC. 2. DISCRIMINATION BASED ON COVID VACCINATION STATUS.

(a) COVID RELIEF CONDITIONS.—

(1) BUSINESSES.—

(A) IN GENERAL.—No person or entity may receive a grant or loan under paragraphs (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), section 7(b)(2) of such Act pursuant to section 1110 of the CARES Act (15 U.S.C. 9009), section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116–260), or any subsequent COVID–19 relief package, unless such person or entity certifies that the person or entity—

(i) will not condition providing service to any individual solely on such individual having been vaccinated against COVID–19; and

(ii) will not, solely on the basis that an individual has not been vaccinated against COVID–19—

(I) terminate the employment or adversely affect the compensation, terms, conditions, or privileges of employment of such individual if such in-
individual is employed by such person or entity; or

(II) fail or refuse to hire such individual.

(B) APPLICABILITY.—Subparagraph (A) shall apply only with respect to agreements for grants or loans entered into after the date of the enactment of this Act.

(2) INSTITUTIONS OF HIGHER EDUCATION.—

(A) IN GENERAL.—No institution of higher education (as defined under section 101 or 102 of title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.)) may receive Federal funds under section 2003 of the American Rescue Plan of 2021 (Public Law 117–2) or any subsequent COVID–19 relief package unless such institution certifies that no rule or policy that requires any separation of individuals who are vaccinated against COVID–19 from individuals who are not so vaccinated on the property of such institution or at the activities of such institution will be implemented by such institution.

(B) APPLICABILITY.—Subparagraph (A) shall apply only with respect to—
(i) payments made after the date of
the enactment of this Act; and

(ii) grants or loans initially made
after the date of the enactment of this Act.

(3) STATE AND LOCAL GOVERNMENTS.—

(A) IN GENERAL.—No covered State or
local government may receive a payment under
sections 602 through 605 of title VI of the So-
cial Security Act (42 U.S.C. 801 et seq.) unless
such covered State or local government certifies
that no law, regulation, rule, or policy (other
than a Federal law) that requires any separa-
tion of individuals who are vaccinated against
COVID–19 from individuals who are not so
vaccinated at any public location, business, or
other place of public accommodation will be en-
acted, implemented, or enforced by such covered
State or local government.

(B) DEFINITIONS.—In this paragraph:

(i) COUNTY; METROPOLITAN CITY;
NONENTITLEMENT UNIT OF LOCAL GOV-
ERNMENT; UNIT OF GENERAL LOCAL GOV-
ERNMENT.—The terms “county”, “metro-
politain city”, “nonentitlement unit of local
government”, and “unit of general local
government” have the meaning given such terms in section 603(g) of title VI of the Social Security Act (42 U.S.C. 803(g)).

(ii) Covered state or local government.—The term “covered State or local government” means a State, territory, Tribal government, metropolitan city, nonentitlement unit of local government, unit of general local government, or county.

(iii) Public accommodation.—The term “public accommodation” has the meaning given such term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

(iv) State; territory; tribal government.—The terms “State”, “territory”, and “Tribal government” have the meaning given such terms in section 602(g) of title VI of the Social Security Act (42 U.S.C. 802(g)).

(C) Applicability.—Subparagraph (A) shall apply only with respect to payments made after the date of the enactment of this Act.
(b) FEDERAL EMPLOYMENT.—No Federal agency (as defined in section 105 of title 5, United States Code) may condition the appointment of an individual to any position in the civil or uniformed services (as such terms are defined in section 2101 of title 5, United States Code) on such individual being vaccinated against COVID-19.