

117TH CONGRESS
1ST SESSION

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.

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 “Keep Vaccines Vol-
5 untary Act”.

1 **SEC. 2. DISCRIMINATION BASED ON COVID VACCINATION**

2 **STATUS.**

3 (a) COVID RELIEF CONDITIONS.—

4 (1) BUSINESSES.—

5 (A) IN GENERAL.—No person or entity
6 may receive a grant or loan under paragraphs
7 (36) or (37) of section 7(a) of the Small Busi-
8 ness Act (15 U.S.C. 636(a)), section 7(b)(2) of
9 such Act pursuant to section 1110 of the
10 CARES Act (15 U.S.C. 9009), section 324 of
11 the Economic Aid to Hard-Hit Small Busi-
12 nesses, Nonprofits, and Venues Act (Public
13 Law 116–260), or any subsequent COVID–19
14 relief package, unless such person or entity cer-
15 tifies that the person or entity—

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

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

23 (I) terminate the employment or
24 adversely affect the compensation,
25 terms, conditions, or privileges of em-
26 ployment of such individual if such in-

1 dividual is employed by such person or
2 entity; or

3 (II) fail or refuse to hire such in-
4 dividual.

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

9 (2) INSTITUTIONS OF HIGHER EDUCATION.—

10 (A) IN GENERAL.—No institution of higher
11 education (as defined under section 101 or 102
12 of title I of the Higher Education Act of 1965
13 (20 U.S.C. 1001 et seq.)) may receive Federal
14 funds under section 2003 of the American Res-
15 cue Plan of 2021 (Public Law 117–2) or any
16 subsequent COVID–19 relief package unless
17 such institution certifies that no rule or policy
18 that requires any separation of individuals who
19 are vaccinated against COVID–19 from individ-
20 uals who are not so vaccinated on the property
21 of such institution or at the activities of such
22 institution will be implemented by such institu-
23 tion.

24 (B) APPLICABILITY.—Subparagraph (A)
25 shall apply only with respect to—

1 (i) payments made after the date of
2 the enactment of this Act; and

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

5 (3) STATE AND LOCAL GOVERNMENTS.—

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

19 (B) DEFINITIONS.—In this paragraph:

20 (i) COUNTY; METROPOLITAN CITY;
21 NONENTITLEMENT UNIT OF LOCAL GOV-
22 ERNMENT; UNIT OF GENERAL LOCAL GOV-
23 ERNMENT.—The terms “county”, “metro-
24 politan city”, “nonentitlement unit of local
25 government”, and “unit of general local

1 government” have the meaning given such
2 terms in section 603(g) of title VI of the
3 Social Security Act (42 U.S.C. 803(g)).

4 (ii) COVERED STATE OR LOCAL GOV-
5 ERNMENT.—The term “covered State or
6 local government” means a State, terri-
7 tory, Tribal government, metropolitan city,
8 nonentitlement unit of local government,
9 unit of general local government, or coun-
10 ty.

11 (iii) PUBLIC ACCOMMODATION.—The
12 term “public accommodation” has the
13 meaning given such term in section 301 of
14 the Americans with Disabilities Act of
15 1990 (42 U.S.C. 12181).

16 (iv) STATE; TERRITORY; TRIBAL GOV-
17 ERNMENT.—The terms “State”, “terri-
18 tory”, and “Tribal government” have the
19 meaning given such terms in section
20 602(g) of title VI of the Social Security
21 Act (42 U.S.C. 802(g)).

22 (C) APPLICABILITY.—Subparagraph (A)
23 shall apply only with respect to payments made
24 after the date of the enactment of this Act.

1 (b) FEDERAL EMPLOYMENT.—No Federal agency
2 (as defined in section 105 of title 5, United States Code)
3 may condition the appointment of an individual to any po-
4 sition in the civil or uniformed services (as such terms are
5 defined in section 2101 of title 5, United States Code)
6 on such individual being vaccinated against COVID–19.

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