

117TH CONGRESS  
1ST SESSION

# H. R. 5864

To prohibit the withholding of Federal education funds on the basis of vaccination requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2021

Mr. GOODEN of Texas (for himself, Mr. ROY, Mrs. MILLER of Illinois, Mr. DUNCAN, Mrs. BOEBERT, and Mr. CLOUD) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To prohibit the withholding of Federal education funds on the basis of vaccination requirements, 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. PROHIBITION ON WITHHOLDING FEDERAL**  
4 **EDUCATION ON THE BASIS OF VACCINATION**  
5 **REQUIREMENTS.**

6 (a) PROHIBITION.—No Federal education funds may  
7 be withheld from an otherwise eligible recipient because  
8 such recipient does not require students or employees to  
9 be vaccinated against COVID–19.

10 (b) DEFINITIONS.—In this section:

1 (1) The term “eligible recipient” means—

2 (A) a State;

3 (B) a State educational agency;

4 (C) a local educational agency;

5 (D) an elementary school or secondary  
6 school;

7 (E) an institution of higher education; or

8 (F) any other individual or entity that is  
9 eligible to receive Federal education funds.

10 (2) The term “Federal education funds” means  
11 any funds made available—

12 (A) under the Elementary and Secondary  
13 Education Act of 1965 (20 U.S.C. 6301 et  
14 seq.);

15 (B) under the Higher Education Act of  
16 1965 (20 U.S.C. 1001 et seq.); or

17 (C) for purposes relating to education  
18 under any other provision of Federal law.

19 (3) The term “institution of higher education”  
20 has the meaning given that term in section 102 of  
21 the Higher Education Act of 1965 (20 U.S.C.  
22 1002).

23 (4) The terms “elementary school”, “local edu-  
24 cational agency”, “secondary school”, “State”, and  
25 “State educational agency” have the meanings given

1 those terms in section 8101 of the Elementary and  
2 Secondary Education Act of 1965 (20 U.S.C. 7801).

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