

117TH CONGRESS
1ST SESSION

S. 2847

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2021

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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”.

6 **SEC. 2. LIMITATION ON AUTHORITY OF SURGEON GEN-**

7 **ERAL.**

8 Section 361 of the Public Health Service Act (42
9 U.S.C. 264) is amended by adding at the end the fol-
10 lowing:

1 “(f) Nothing in this section shall be construed to pro-
 2 vide the Surgeon General, the Secretary of Health and
 3 Human Services, or any Federal agency with the authority
 4 to mandate vaccination against Coronavirus Disease 2019
 5 (COVID–19) as a prerequisite for interstate travel, trans-
 6 portation, or movement.”.

7 **SEC. 3. INTERSTATE COMMON CARRIERS.**

8 (a) IN GENERAL.—Chapter 805 of title 49, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing:

11 **“§ 80505. COVID–19 vaccination status**

12 “(a) IN GENERAL.—An entity described in subsection
 13 (b) may not deny service to any individual solely based
 14 on the vaccination status of the individual with respect
 15 to the Coronavirus Disease 2019 (COVID–19).

16 “(b) ENTITY DESCRIBED.—An entity referred to in
 17 subsection (a) is a common carrier or any other entity,
 18 including a rail carrier (as defined in section 10102, in-
 19 cluding Amtrak), a motor carrier (as defined in section
 20 13102), a water carrier (as defined in that section), and
 21 an air carrier (as defined in section 40102), that—

22 “(1) provides interstate transportation of pas-
 23 sengers; and

1 “(2) is subject to the jurisdiction of the Depart-
2 ment of Transportation or the Surface Transpor-
3 tation Board under this title.

4 “(c) SAVINGS PROVISION.—Nothing in this section
5 applies to the regulation of intrastate travel, transpor-
6 tation, or movement, including the intrastate transpor-
7 tation of passengers.”.

8 (b) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 805 of title 49, United States Code, is amended by
10 inserting after the item relating to section 80504 the fol-
11 lowing:

 “80505. COVID–19 vaccination status.”.

12 **SEC. 4. RULE OF CONSTRUCTION.**

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

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