

117TH CONGRESS
1ST SESSION

S. 2895

To prohibit the Department of Transportation and other agencies from promulgating rules requiring a person to provide proof of COVID–19 vaccination in order to engage in interstate commerce or travel, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2021

Mr. SCOTT of Florida (for himself, Ms. LUMMIS, Mr. JOHNSON, Mr. LEE, and Mr. MARSHALL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit the Department of Transportation and other agencies from promulgating rules requiring a person to provide proof of COVID–19 vaccination in order to engage in interstate commerce or travel, 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 “Prevent Unconstitu-
5 tional Vaccine Mandates for Interstate Commerce Act”.

1 **SEC. 2. PROHIBITION ON PROOF OF COVID-19 VACCINA-**
 2 **TION REQUIREMENTS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
 4 sion of law, an agency or department described in sub-
 5 section (b) may not promulgate any rule to require a per-
 6 son to provide proof of COVID-19 vaccination of any kind
 7 in order to engage in interstate commerce or travel.

8 (b) AGENCIES AND DEPARTMENTS DESCRIBED.—An
 9 agency or department referred to in subsection (a) is any
 10 of the following:

- 11 (1) The Department of Transportation.
- 12 (2) The National Railroad Passenger Corpora-
 13 tion (commonly referred to as “Amtrak”).
- 14 (3) The Surface Transportation Board.
- 15 (4) The Transportation Security Administra-
 16 tion.
- 17 (5) The National Transportation Safety Board.
- 18 (6) The Federal Maritime Commission.
- 19 (7) The Department of Commerce.

20 (c) LIMITATION ON THE USE OF HHS SUSPENSION
 21 OF ENTRIES AND IMPORTS AUTHORITY.—Section 361(e)
 22 of the Public Health Service Act (42 U.S.C. 264(e)) is
 23 amended by adding at the end the following: “Nothing in
 24 this section shall be construed to authorize the Secretary
 25 of Health and Human Services to mandate vaccination

- 1 against COVID–19 as a prerequisite for engaging in inter-
- 2 state commerce or travel.”.

