

## HR 3868

### No Vaccine Passports for Americans Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Jun 14, 2021

**Current Status:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

**Latest Action:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. (Nov 1, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/3868>

### Sponsor

**Name:** Rep. Harshbarger, Diana [R-TN-1]

**Party:** Republican • **State:** TN • **Chamber:** House

### Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Tenney, Claudia [R-NY-22]	R · NY		Jul 28, 2021
Rep. Good, Bob [R-VA-5]	R · VA		Aug 3, 2021
Rep. Van Drew, Jefferson [R-NJ-2]	R · NJ		Aug 3, 2021
Rep. Malliotakis, Nicole [R-NY-11]	R · NY		Aug 6, 2021
Rep. Posey, Bill [R-FL-8]	R · FL		Aug 23, 2021
Rep. Duncan, Jeff [R-SC-3]	R · SC		Sep 21, 2021
Rep. Fallon, Pat [R-TX-4]	R · TX		Sep 21, 2021
Rep. Jackson, Ronny [R-TX-13]	R · TX		Sep 22, 2021
Rep. Miller, Mary E. [R-IL-15]	R · IL		Sep 22, 2021
Rep. Joyce, John [R-PA-13]	R · PA		Sep 28, 2021
Rep. Rutherford, John H. [R-FL-4]	R · FL		Sep 29, 2021
Rep. Gooden, Lance [R-TX-5]	R · TX		Oct 8, 2021
Rep. Lesko, Debbie [R-AZ-8]	R · AZ		Dec 14, 2021
Rep. Donalds, Byron [R-FL-19]	R · FL		Dec 20, 2021

### Committee Activity

Committee	Chamber	Activity	Date
Committee on House Administration	House	Referred To	Jun 14, 2021
Education and Workforce Committee	House	Referred To	Jun 14, 2021
Energy and Commerce Committee	House	Referred to	Jun 15, 2021
Foreign Affairs Committee	House	Referred To	Jun 14, 2021
Judiciary Committee	House	Referred to	Nov 1, 2022
Oversight and Government Reform Committee	House	Referred To	Jun 14, 2021
Transportation and Infrastructure Committee	House	Referred To	Jun 14, 2021

## Subjects & Policy Tags

### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
117 S 1932	Related bill	<b>May 27, 2021:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

### Summary (as of Jun 14, 2021)

#### No Vaccine Passports for Americans Act

This bill restricts collection and disclosure of an individual's vaccination status, including for COVID-19 vaccinations. It also makes it unlawful to discriminate based on COVID-19 vaccination status and to mandate vaccination in certain circumstances.

Specifically, the bill prohibits the use of federal funds to establish or collaborate with federal, state, private, or international systems that track or monitor an individual's COVID-19 vaccination status. Additionally, federal agencies must destroy existing records that contain information about an individual's COVID-19 vaccination status within 30 days. Furthermore, agencies may not issue vaccine passports or similar standardized documentation of COVID-19 vaccination status.

The bill also prohibits discrimination based on COVID-19 vaccination status or willingness to provide documentation of vaccination status in employment, public accommodations, and certain public programs and services. Remedies and enforcement mechanisms available under federal civil rights laws apply to violations under this bill.

In addition, federal privacy standards for health information must prohibit the disclosure of non-anonymized information about the status of any vaccination without a patient's express consent. Moreover, the bill makes anyone who requests an individual's vaccination status subject to these standards.

The bill temporarily bans (1) mandates for vaccines authorized for use under emergency procedures, and (2) administration of those vaccines to minors or individuals who lack capacity to consent to vaccinations without the consent of their parent or guardian. It also prohibits public disclosure of an individual's COVID-19 vaccination status without express, written consent. Violations of these prohibitions are subject to criminal and civil penalties.

### Actions Timeline

- **Nov 1, 2022:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Jun 15, 2021:** Referred to the Subcommittee on Health.
- **Jun 14, 2021:** Introduced in House
- **Jun 14, 2021:** Referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Education and Labor, Foreign Affairs, Oversight and Reform, and House Administration, 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.