^{117TH CONGRESS} 2D SESSION H.R. 7423

AUTHENTICATED U.S. GOVERNMENT INFORMATION

> To prohibit imposing certain COVID–19 face covering and vaccine mandates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

April 6, 2022

Mr. GIMENEZ (for himself, Mrs. CAMMACK, Mr. DONALDS, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and the Judiciary, 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 imposing certain COVID–19 face covering and vaccine mandates, 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 "America Reopens Act".

5 SEC. 2. TRANSPORTATION.

6 (a) TRAVEL.—Beginning on the date of the enact7 ment of this Act and notwithstanding any other provision
8 of law, no Federal agency or any entity that receives Fed-

eral funds shall impose any Federal requirement related
 to COVID-19 that requires a citizen or alien lawfully ad mitted for permanent residence in the United States to
 show proof of vaccination or recent COVID-19 testing or
 wear a face covering when using any conveyance (as de fined in section 70.1 of title 42, Code of Federal Regula tions, or any successor regulation) or transportation hub.

8 (b) TRAVEL CLARIFICATION.—A citizen or alien law-9 fully admitted for permanent residence in the United 10 States may travel domestically in the United States with-11 out regard to COVID–19 vaccine status, testing, or wear-12 ing a face covering, including citizens and such aliens re-13 turning to the United States from a foreign country.

14 SEC. 3. LAND PORT OF ENTRY.

15 An individual who is a national of Canada or of Mex-16 ico and is seeking to temporarily enter the United States 17 for business through a land port of entry of the United 18 States or who is involved in interstate commerce may 19 enter the United States without regard to COVID-19 vac-20 cination status, including any commercial truck driver.

21 SEC. 4. TAXPAYER FUNDS.

No Federal funds may be used to develop, implement,
or enforce any COVID-19 vaccine passport system or
plan.

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), no funds shall be made available under any applicable
5 program to a public institution of higher education un6 less—

7 (1) in-person instruction is available to all stu-8 dents at such institution; and

9 (2) a student may opt-out of any requirement 10 of the institution to wear a face covering, to be vac-11 cinated against COVID-19, or to take a COVID-19 12 test.

13 (b) EXCEPTIONS.—

(1) CERTAIN DISTANCE EDUCATION PROGRAMS.—The requirement of subsection (a)(1) shall
not apply to a course or program of study that an
institution offers via distance education for reasons
unrelated to COVID-19.

19 (2) HEALTH CARE FACILITIES.—The require20 ment of subsection (a)(2) shall not apply to—

21 (A) a medical school;

22 (B) a nursing school; or

23 (C) a health care facility that is—

24 (i) owned or operated by an institu-25 tion of higher education; or

	-
1	(ii) at which the institution carries out
2	academic programs.
3	(c) DEFINITIONS.—In this section:
4	(1) APPLICABLE PROGRAM.—The term "appli-
5	cable program" has the meaning given the term in
6	section 400(c) of the General Education Provisions
7	Act (20 U.S.C. 1221(c)).
8	(2) Institution of higher education.—The
9	term "institution of higher education" has the
10	meaning given that term in section 102 of the High-
11	er Education Act of 1965 (20 U.S.C. 1002).
12	SEC. 6. GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-
13	PERSON INSTRUCTION.
13 14	PERSON INSTRUCTION. (a) Grants for Students Without Access to
	(a) Grants for Students Without Access to
14 15	(a) Grants for Students Without Access to
14 15 16	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail-
14 15 16 17	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall
14 15 16 17	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall carry out a program under which the parent of a child
14 15 16 17 18	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall carry out a program under which the parent of a child who has an application approved by the Secretary under
14 15 16 17 18 19	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall carry out a program under which the parent of a child who has an application approved by the Secretary under subsection (c) shall receive a grant to pay certain edu-
 14 15 16 17 18 19 20 	(a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall carry out a program under which the parent of a child who has an application approved by the Secretary under subsection (c) shall receive a grant to pay certain edu- cational expenses on behalf of such child.
 14 15 16 17 18 19 20 21 	 (a) GRANTS FOR STUDENTS WITHOUT ACCESS TO IN-PERSON INSTRUCTION.—From amounts made avail- able under subsection (e), the Secretary of Education shall carry out a program under which the parent of a child who has an application approved by the Secretary under subsection (c) shall receive a grant to pay certain edu- cational expenses on behalf of such child. (b) APPLICATION.—To be eligible to receive grant

25 Secretary may require.

4

1	(c) APPROVAL.—Subject to the availability of funds
2	to carry out this section, the Secretary of Education shall
3	make a grant under subsection (a) to the parent of a child
4	if—
5	(1) the parent submits a true and correct appli-
6	cation under subsection (b); and
7	(2) as part of such application the parent—
8	(A) certifies that the child does not have
9	access to in-person instruction at a public ele-
10	mentary school or public secondary school due
11	to COVID–19; and
12	(B) provides an assurance that the parent
13	will use the grant only for the purposes author-
14	ized under this section.
15	(d) USE OF FUNDS.—A parent who receives grant
16	under this section on behalf of a child may use the grant
17	to pay the following educational expenses:
18	(1) Costs of attendance for the child at a pri-
19	vate elementary school or private secondary school.
20	(2) Costs incurred by the parent to homeschool
21	the child.
22	(3) Such other educational expenses as may be
23	approved by the Secretary for purposes of this sub-
24	section.

1 (e) FUNDING.—Notwithstanding any other provision 2 of law, this section shall be carried out using amounts 3 made available to the Secretary of Education under the 4 CARES Act (Public Law 116–136) that are unobligated 5 as of the date of the enactment of this Act and no addi-6 tional amounts are authorized to be appropriated to carry 7 out this section.

8 (f) DEFINITIONS.—In this section, the terms "child", 9 "elementary school", "parent", "secondary school", and 10 "State" have the meanings given those terms in section 11 8101 of the Elementary and Secondary Education Act of 12 1965 (20 U.S.C. 7801).

 \bigcirc