



The No Vaccine Passports for Americans Act (H.R. 3868) **Protecting Americans' Individual Liberties and Ensuring Privacy**

At least [19 states](#) — including Tennessee — have adopted some form of ban on COVID-19 vaccine “passports,” or requiring proof of receiving the COVID vaccine. In May, 2021 the Tennessee General Assembly enacted and Gov. Bill Lee signed into law its own COVID vaccine passport ban ([SB 0858](#)).

While many folks are choosing to get COVID vaccinated because they feel it’s the right decision for them, not everyone can receive the COVID-19 vaccine — for legitimate reasons. Many states have adopted bans on COVID vaccine passports because they believe a vaccine passport system would be discriminatory against people who, for whatever reason, do not get the COVID-19 vaccine.

Rep. Harshbarger has heard from many TN-01 constituents that they are extremely concerned about government overreach and oppose a federal COVID vaccine passport system. And in listening to constituents, Rep. Harshbarger introduced the [No Vaccine Passports for Americans Act \(H.R. 3868\)](#) that builds on what Tennessee and many other states have implemented and would extend this standard nationwide.

The legislation embodies the notion that Americans shouldn't be discriminated against because of COVID-19 vaccine status — whether at work or in everyday life. Rep. Harshbarger also believes that Americans’ well-established rights to privacy would be gutted by any mandated vaccine passport.

Rep. Harshbarger introduced the ***No Vaccine Passports for Americans Act*** guided by the principle that we should be encouraging individuals to receive the vaccine through increased patient protections, not mandating it.

Rep. Harshbarger’s freedom-preserving legislation H.R. 3868 would:

- Impose a 5-year prohibition on ***any*** government vaccine mandate for vaccines first authorized by the FDA through expedited Emergency Use Authorization (EUA). This

prohibition against the government's forcing Americans to get COVID vaccines would include all COVID vaccines to date, and this personal freedom protection would apply even if current EUA COVID vaccines eventually receive full FDA approval;

- Protect **all** American citizens from a government-imposed COVID vaccine mandate, including members of the U.S. military, college students, and military service academy students;
- Protect Americans' personal health privacy by ensuring people can't be forced to disclose personal health information against their will; and making it unlawful to disclose private health information about anyone's COVID vaccine status, unless an individual provides express consent;
- Prohibit any federal vaccine "passport" or similar system of tracking individuals for proof of vaccination, and prohibit the U.S. working with 3rd parties such as airlines or other global entities to develop / impose such a tracking system;
- Prohibit vaccine discrimination in employment, public accommodations, public transportation, government programs and services, and access to voting and federal property — the legislation builds on existing civil rights laws and adds one's health decision of whether or not to get the COVID vaccine to the protected classes that cannot be discriminated against;
- Allow for limited exceptions in absolutely necessary circumstances; and
- Allow accommodating requirements for physical distancing, wearing a mask and wearing personal protective equipment.

The ***No Vaccine Passports for Americans Act (H.R. 3868)*** would protect Americans' individual liberties and ensure privacy by prohibiting any government-imposed COVID vaccine mandate or vaccine "passport," and making it illegal to discriminate with respect to the COVID vaccination status of individuals. This important legislation will uphold and sustain the fundamentally sacred and enduring principles in our Constitution that the government must always be the servant of its people, and the people must never become servants of the government.

The Senate version of this bill, S. 1932, was introduced by U.S. Senator Ted Cruz (R-TX).