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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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

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IN THE HOUSE OF REPRESENTATIVES

Mr. GIMENEZ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**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 enact-  
7 ment of this Act and notwithstanding any other provision  
8 of law, no Federal agency or any entity that receives Fed-  
9 eral funds shall impose any Federal requirement related

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

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

13 **SEC. 3. LAND PORT OF ENTRY.**

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

20 **SEC. 4. TAXPAYER FUNDS.**

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

1 **SEC. 5. REQUIREMENTS FOR INSTITUTIONS OF HIGHER**  
2 **EDUCATION.**

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 un-  
6 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.—

14 (1) CERTAIN DISTANCE EDUCATION PRO-  
15 GRAMS.—The requirement of subsection (a)(1) shall  
16 not apply to a course or program of study that an  
17 institution offers via distance education for reasons  
18 unrelated to COVID–19.

19 (2) HEALTH CARE FACILITIES.—The require-  
20 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.**

14 (a) GRANTS FOR STUDENTS WITHOUT ACCESS TO  
15 IN-PERSON INSTRUCTION.—From amounts made avail-  
16 able under subsection (e), the Secretary of Education shall  
17 carry out a program under which the parent of a child  
18 who has an application approved by the Secretary under  
19 subsection (c) shall receive a grant to pay certain edu-  
20 cational expenses on behalf of such child.

21 (b) APPLICATION.—To be eligible to receive grant  
22 under this section, the parent of a child shall submit an  
23 application to the Secretary of Education at such time,  
24 in such manner, and containing such information as the  
25 Secretary may require.

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 enactment of this Act and no additional  
6 amounts are authorized to be appropriated to carry out  
7 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).