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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To prohibit any Federal law from making the manufacturer of a COVID–19 vaccine immune from suit or liability, or limiting the liability of such a manufacturer, with respect to claims for loss caused by, arising out of, relating to, or resulting from the administration to or the use by an individual of a COVID–19 vaccine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROY introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit any Federal law from making the manufacturer of a COVID–19 vaccine immune from suit or liability, or limiting the liability of such a manufacturer, with respect to claims for loss caused by, arising out of, relating to, or resulting from the administration to or the use by an individual of a COVID–19 vaccine, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Let Injured Americans
3 Be Legally Empowered Act” or the “LIABLE Act”.

4 **SEC. 2. NO FEDERAL IMMUNITY FROM, OR LIMITATION ON,**
5 **LIABILITY FOR MANUFACTURERS FOR LOSS**
6 **CAUSED BY A COVID-19 VACCINE.**

7 (a) IN GENERAL.—No Federal law, including sec-
8 tions 319F–3, 2111, and 2122 of the Public Health Serv-
9 ice Act (42 U.S.C. 247d–6d, 300aa–11, 300aa–22), may
10 make the manufacturer of a COVID–19 vaccine immune
11 from suit or liability, or limit the liability of such a manu-
12 facturer, with respect to claims for loss caused by, arising
13 out of, relating to, or resulting from the administration
14 to or the use by an individual of a COVID–19 vaccine.

15 (b) RULE OF CONSTRUCTION.—Nothing in this Act
16 shall be construed to prohibit an individual from seeking
17 compensation through the Countermeasures Injury Com-
18 pensation Program under section 319F–4 of the Public
19 Health Service Act (42 U.S.C. 247d–6e) or the National
20 Vaccine Injury Compensation Program under subtitle 2
21 of title XXI of such Act (42 U.S.C. 300aa–10 et seq.).

22 (c) RELATION TO OTHER PROGRAMS.—An individual
23 shall not be precluded from bringing a civil action for
24 claims described in subsection (a) on the basis of such in-
25 dividual having sought or received compensation through
26 the Countermeasures Injury Compensation Program

1 under section 319F–4 of the Public Health Service Act
2 (42 U.S.C. 247d–6e) or the National Vaccine Injury Com-
3 pensation Program under subtitle 2 of title XXI of such
4 Act (42 U.S.C. 300aa–10 et seq.).

5 (d) DEFINITION.—The term “COVID–19 vaccine”
6 means a vaccine licensed or otherwise authorized by the
7 Food and Drug Administration to prevent, mitigate, or
8 limit—

- 9 (1) the harm from COVID–19; or
10 (2) the transmission of SARS–CoV–2 or a virus
11 mutating therefrom.

12 (e) RETROACTIVE APPLICABILITY.—This Act applies
13 without regard to whether the administration or use of a
14 COVID–19 vaccine occurs before, on, or after the date of
15 enactment of this Act.