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,
SECTION 1. SHORT TITLE.

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

SEC. 2. NO FEDERAL IMMUNITY FROM, OR LIMITATION ON, LIABILITY FOR MANUFACTURERS FOR LOSS CAUSED BY A COVID–19 VACCINE.

(a) IN GENERAL.—No Federal law, including sections 319F–3, 2111, and 2122 of the Public Health Service Act (42 U.S.C. 247d–6d, 300aa–11, 300aa–22), may make the manufacturer of a COVID–19 vaccine immune from suit or liability, or limit 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.

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

(c) RELATION TO OTHER PROGRAMS.—An individual shall not be precluded from bringing a civil action for claims described in subsection (a) on the basis of such individual having sought or received compensation through the Countermeasures Injury Compensation Program.
under section 319F–4 of the Public Health Service Act (42 U.S.C. 247d–6e) or the National Vaccine Injury Compensation Program under subtitle 2 of title XXI of such Act (42 U.S.C. 300aa–10 et seq.).

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

(1) the harm from COVID–19; or

(2) the transmission of SARS–CoV–2 or a virus mutating therefrom.

(e) Retrospective Applicability.—This Act applies without regard to whether the administration or use of a COVID–19 vaccine occurs before, on, or after the date of enactment of this Act.