

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2021-04

BANNING VACCINE PASSPORTS

WHEREAS, the widespread administration of vaccines that are safe and effective against the 2019 novel coronavirus ("COVID-19") is essential to ending the COVID-19 public health emergency, protecting the health and well-being of Idahoans, and returning the Idaho economy and our way of life back to normal as soon as possible; and

WHEREAS, the United States Food and Drug Administration ("FDA") has authorized the emergency use of three COVID-19 vaccines that are safe and effective in preventing COVID-19 infections; and

WHEREAS, on April 5, 2021, all Idahoans aged 16 and older became eligible to receive at least one of the COVID-19 vaccines regardless of their medical condition or occupation; and

WHEREAS, 70-percent of our residents aged 65 and over and nearly 500,000 Idahoans have chosen to receive one of the COVID-19 vaccines; and

WHEREAS, I continue to encourage that all Idahoans aged 16 and older choose to receive one of the safe and effective COVID-19 vaccines, which is our best shot at protecting jobs and saving lives; and

WHEREAS, some states are exploring the creation of COVID-19 "vaccine passports," and New York is promoting a software program that will facilitate the exclusion of Americans who have not received a COVID-19 vaccine from receiving services and fully participating in public life; and

WHEREAS, Idaho law does not require Idahoans receive a COVID-19 vaccine and, while I strongly encourage Idahoans to choose to be vaccinated, it is a personal choice and some Idahoans because of their age, medical condition, or religious objection are unable to receive a vaccine; and

WHEREAS, I have serious concerns that implementing COVID-19 vaccine passports will violate Idahoans' medical privacy rights, prejudice those unable to receive the vaccine, slow our economic recovery, cause division among our populace and, ultimately, be counterproductive to the widespread administration of the COVID-19 vaccines among Idahoans; and

WHEREAS, it is contrary to my core values as an Idahoan and conservative to have the State of Idaho mandate the COVID-19 vaccine or issue COVID-19 vaccine passports; and

WHEREAS, pursuant to Article IV, Section 5 of the Idaho Constitution, the supreme executive power of the state is vested in the Governor of Idaho, who shall see that the laws are faithfully executed; and

WHEREAS, pursuant to Idaho Code § 67-802, the Governor is authorized and empowered to implement and exercise his constitutional duties by issuing executive orders which shall have the force and effect of law when issued.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution of the United States, the Constitution of the State of Idaho, and the laws of the State of Idaho, do hereby proclaim and declare as follows:

- 1. No department, agency, board, commission, or other executive branch entity or official of the State of Idaho shall:
 - a. Require as a condition of accessing state services or facilities that an individual produce proof he or she has received a COVID-19 vaccine;**

- b. Produce and issue a COVID-19 vaccine passport for the purpose of certifying that an individual has received a COVID-19 vaccine; or
 - c. Provide information of an individual's COVID-19 vaccine status to any person, company, or governmental entity for inclusion in a COVID-19 vaccine passport program.
2. All departments, agencies, boards, commissions, and other executive branch entities of the State of Idaho are directed to immediately take steps to rescind, alter, or suspend any administrative rules in conflict with this Executive Order.
3. This Executive Order does not, and shall not be construed to, prohibit, restrict, or otherwise limit:
 - a. The right of an individual to access his or her own personal health information under state or federal law; or
 - b. The normal operation of Idaho 's existing Immunization Reminder Information System (IRIS).



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 7th day of April in the year of our Lord two thousand twenty-one.

BRAD LITTLE
GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE