

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MRS. BOEBERT OF COLORADO

At the end of subtitle C of title V, insert the following:

1 **SEC. 5 ___. CERTAIN PROTECTIONS FOR MEMBERS WHO**
2 **REFUSE TO RECEIVE A VACCINATION**
3 **AGAINST COVID-19.**

4 (a) PROHIBITIONS.—

5 (1) FEDERAL FUNDS FOR VACCINE MAN-
6 DATE.—No Federal funds may be used to require a
7 member of the Armed Forces to receive a vaccina-
8 tion against COVID-19.

9 (2) ADVERSE ACTION.—No member of the
10 Armed Forces may be subject to adverse action sole-
11 ly on the basis of the refusal of such member to re-
12 ceive a vaccination against COVID-19.

13 (b) REINSTATEMENT.—At the request of a covered
14 individual, the Secretary concerned shall—

15 (1) reinstate the covered individual as a mem-
16 ber of the Armed Force concerned, in the same rank

1 and grade the covered individual held at the time of
2 separation from the Armed Force concerned;

3 (2) expunge from the military service record of
4 the covered individual any reference to adverse ac-
5 tion against the covered individual solely on the
6 basis of the refusal of the covered individual to re-
7 ceive a vaccination against COVID-19; and

8 (3) include, in the computation of the retired or
9 retainer pay of such covered individual, the period
10 between the involuntary separation and the rein-
11 statement, under paragraph (2), of the covered indi-
12 vidual.

13 (c) BACK PAY AND BENEFITS.—A covered individual
14 who makes a request under subsection (b) shall be entitled
15 to back pay and benefits for the period between such sepa-
16 ration and reinstatement of the covered individual.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “adverse action” includes involun-
19 tary separation, demotion, and discipline.

20 (2) The term “covered individual” means an in-
21 dividual who was involuntarily separated from an
22 Armed Force solely on the basis of the refusal of
23 such individual to receive a vaccination against
24 COVID-19.

1 (3) The term “Secretary concerned” has the
2 meaning given such term in section 101 of title 10,
3 United States Code.

