

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**36**

**OFFERED BY MR. GAETZ OF FLORIDA**

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

1 **SEC. 5\_\_\_ . CERTAIN REMEDIES FOR AN INDIVIDUAL INVOL-**  
2 **UNTARILY SEPARATED FROM AN ARMED**  
3 **FORCE SOLELY ON THE BASIS OF REFUSING**  
4 **TO RECEIVE A VACCINATION AGAINST COVID-**  
5 **19.**

6 (a) REINSTATEMENT.—

7 (1) ELECTION.—At the election of a covered in-  
8 dividual, the Secretary concerned shall reinstate the  
9 covered individual as a member of the Armed Force  
10 concerned, in the same rank and grade the covered  
11 individual held at the time of separation from such  
12 Armed Force.

13 (2) DEADLINES.—A covered individual may  
14 make an election under this subsection during the  
15 period of 90 days following the date of the enact-  
16 ment of this Act. The Secretary concerned shall re-  
17 instate a covered individual who makes such an elec-  
18 tion not later than 90 days after such election.

1 (b) BACK PAY; PROMOTION; HARDSHIP BONUS.—

2 (1) BACK PAY.—A covered individual who  
3 makes an election under subsection (a) shall be enti-  
4 tled to back pay for the period between the separa-  
5 tion of the covered individual from the Armed  
6 Forces and the date of the enactment of this Act.

7 (2) PROMOTION.—If, during the period de-  
8 scribed in paragraph (1), a covered individual, who  
9 makes an election under subsection (a), did not re-  
10 ceive a promotion solely because such individual was  
11 a covered individual—

12 (A) the Secretary concerned shall grant  
13 such promotion; and

14 (B) the amount of such back pay under  
15 such paragraph shall be determined based on  
16 the grade of the covered individual pursuant to  
17 such promotion.

18 (3) HARDSHIP BONUS.—A covered individual  
19 who makes an election under subsection (a) shall be  
20 entitled to a hardship bonus in the amount of  
21 \$15,000.

22 (c) DEFINITIONS.—In this section:

23 (1) The term “covered individual” means an in-  
24 dividual who was involuntarily separated from an  
25 Armed Force solely on the basis of the refusal of

1       such individual to receive a vaccination against  
2       COVID-19.

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

