

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MR. ROY OF TEXAS**

Page 269, after line 22, insert the following:

1 **SEC. 529. PROTECTIONS FOR MEMBERS OF THE ARMED**  
2 **FORCES WHO REFUSE TO RECEIVE VACCINA-**  
3 **TIONS AGAINST COVID-19.**

4 (a) PROHIBITIONS.—

5 (1) FEDERAL FUNDING.—No Federal funds  
6 may be used to require a member of the Armed  
7 Forces to receive a vaccination against COVID-19.

8 (2) ADVERSE ACTION.—The Secretary con-  
9 cerned may not take any adverse action against a  
10 member of the Armed Forces solely on the basis that  
11 such member refuses to receive a vaccination against  
12 COVID-19.

13 (b) REINSTATEMENT.—

14 (1) REQUIREMENT.—At the election of a cov-  
15 ered individual, the Secretary concerned shall rein-  
16 state such covered individual—

17 (A) as a member of the Armed Force con-  
18 cerned; and

1 (B) in the grade held by such covered indi-  
2 vidual immediately before the involuntary sepa-  
3 ration of the covered individual.

4 (2) COMPUTATION OF RETIRED OR RETAINER  
5 PAY.—In the case of an covered individual reinstated  
6 as a member of the Armed Forces under paragraph  
7 (1), the Secretary concerned shall include, in the  
8 computation of retired or retainer pay for such cov-  
9 ered individual, the time between the involuntary  
10 separation of such covered individual and such rein-  
11 statement.

12 (c) EXPUNGEMENT.—The Secretary concerned shall  
13 expunge, from the service record of a covered individual  
14 or a member of the Armed Forces who received an adverse  
15 action solely on the basis of such member to receive a vac-  
16 cination against COVID–19, each reference to involuntary  
17 separation, or to adverse action, solely on such basis.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “adverse action” includes the fol-  
20 lowing:

21 (A) Retaliation.

22 (B) Punishment.

23 (C) Disparate treatment.

24 (D) A requirement to wear a mask.

1                   (E) A requirement to reside in sub-  
2                   standard housing.

3                   (2) The term “covered individual” means an in-  
4                   dividual involuntarily separated from the Armed  
5                   Forces solely on the basis of the refusal of such indi-  
6                   vidual to receive a vaccination against COVID–19.

7                   (3) The term “Secretary concerned” has the  
8                   meaning given that term in section 101 of title 10,  
9                   United States Code.

