AMENDMENT TO RULES COMMITTEE PRINT 117-54

OFFERED BY MR. ROY OF TEXAS

Page 269, after line 22, insert the following:

SEC. 529. PROTECTIONS FOR MEMBERS OF THE ARMED FORCES WHO REFUSE TO RECEIVE VACCINATIONS AGAINST COVID–19.

(a) Prohibitions.—

(1) Federal funding.—No Federal funds may be used to require a member of the Armed Forces to receive a vaccination against COVID–19.

(2) Adverse action.—The Secretary concerned may not take any adverse action against a member of the Armed Forces solely on the basis that such member refuses to receive a vaccination against COVID–19.

(b) Reinstatement.—

(1) Requirement.—At the election of a covered individual, the Secretary concerned shall reinstate such covered individual—

(A) as a member of the Armed Force concerned; and
(B) in the grade held by such covered individual immediately before the involuntary separation of the covered individual.

(2) **Computation of Retired or Retainer Pay.**—In the case of an covered individual reinstated as a member of the Armed Forces under paragraph (1), the Secretary concerned shall include, in the computation of retired or retainer pay for such covered individual, the time between the involuntary separation of such covered individual and such reinstatement.

(c) **Expungement.**—The Secretary concerned shall expunge, from the service record of a covered individual or a member of the Armed Forces who received an adverse action solely on the basis of such member to receive a vaccination against COVID–19, each reference to involuntary separation, or to adverse action, solely on such basis.

(d) **Definitions.**—In this section:

(1) The term “adverse action” includes the following:

(A) Retaliation.  
(B) Punishment.  
(C) Disparate treatment.  
(D) A requirement to wear a mask.
(E) A requirement to reside in substandard housing.

(2) The term “covered individual” means an individual involuntarily separated from the Armed Forces solely on the basis of the refusal of such individual to receive a vaccination against COVID–19.

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