

117TH CONGRESS
1ST SESSION

H. R. 6178

To prohibit the Department of Defense from discharging or withholding pay or benefits from members of the National Guard based on COVID–19 vaccination status.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2021

Mrs. BICE of Oklahoma (for herself, Mr. LUCAS, Mr. MULLIN, and Mr. HERN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To prohibit the Department of Defense from discharging or withholding pay or benefits from members of the National Guard based on COVID–19 vaccination status.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON DISCHARGING OR WITH-**
4 **HOLDING PAY OR BENEFITS FROM NATIONAL**
5 **GUARD MEMBERS BASED ON COVID–19 VAC-**
6 **CINATION STATUS.**

7 (a) IN GENERAL.—The Secretary of Defense shall
8 not, based on whether or not a member of the National

1 Guard has received a COVID–19 vaccine, take any of the
2 following actions:

3 (1) Involuntarily discharge or discipline the
4 member under chapter 47 of title 10, United States
5 Code (the Uniform Code of Military Justice).

6 (2) Withhold pay or benefits from the member.

7 (3) Prohibit the member from participating in
8 training or using equipment funded by amounts ap-
9 propriated by an Act of Congress.

10 (b) PAY AND BENEFITS INCLUDED.—The pay and
11 benefits referred to in subsection (a)(2) include the fol-
12 lowing:

13 (1) Basic pay and special pay under title 37,
14 United States Code, or title 10, United States Code.

15 (2) Medical and dental care under chapter 55
16 of title 10, United States Code.

17 (3) Transitional health benefits under section
18 1145 of such title.

19 (4) Commissary and exchange benefits under
20 section 1146 of such title.

○