

117TH CONGRESS 2D SESSION H.R. 7570

To establish certain protections for individuals involuntarily separated from the Armed Forces solely on the basis of refusing to receive vaccinations against COVID-19.

IN THE HOUSE OF REPRESENTATIVES

April 25, 2022

Mr. Smith of New Jersey introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To establish certain protections for individuals involuntarily separated from the Armed Forces solely on the basis of refusing to receive vaccinations against COVID-19.

	of fetusing to fective vaccinations against COVID-15.
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. PROTECTIONS FOR INDIVIDUALS INVOLUN-
4	TARILY SEPARATED FROM THE ARMED
5	FORCES SOLELY ON THE BASIS OF REFUSING
6	TO RECEIVE VACCINATIONS AGAINST COVID-
7	19.
8	(a) Reinstatement.—At the request of a covered
9	individual, the Secretary concerned shall reinstate the cov-

- 1 ered individual as a member of the Armed Force con-
- 2 cerned, in the same rank and grade the covered individual
- 3 held at the time of separation from the Armed Force con-
- 4 cerned.
- 5 (b) Characterization of Discharge or Dis-
- 6 MISSAL.—
- 7 (1) Prohibition of Characterization
- 8 OTHER THAN HONORABLE.—The characterization of
- 9 the discharge or dismissal of a covered individual
- shall be honorable.
- 11 (2) Upgrade.—In the case of a covered indi-
- vidual discharged or dismissed from the Armed
- Forces before the date of the enactment of this Act,
- the Secretary concerned shall ensure the character-
- ization of such discharge or dismissal is honorable.
- 16 (c) Prohibition of Denial of Retired Pay and
- 17 Benefits.—No covered individual may be denied, solely
- 18 on the basis that such individual is a covered individual,
- 19 any—
- 20 (1) retired or retainer pay; or
- 21 (2) benefit (including educational assistance)
- under a law administered by the Secretary of De-
- fense or the Secretary of Veterans Affairs.
- 24 (d) Definitions.—In this section:

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

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

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