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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To prohibit adverse action against a member of the Armed Forces who
refuses to receive a vaccination against COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROY introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit adverse action against a member of the Armed
Forces who refuses to receive a vaccination against
COVID–19, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Service Restoration
5 Act”.

1 **SEC. 2. 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

19 (B) in the grade held by such covered indi-
20 vidual immediately before the involuntary sepa-
21 ration of the covered individual.

22 (2) COMPUTATION OF RETIRED OR RETAINER
23 PAY.—In the case of an covered individual reinstated
24 as a member of the Armed Forces under paragraph
25 (1), the Secretary concerned shall include, in the
26 computation of retired or retainer pay for such cov-

1 ered individual, the time between the involuntary
2 separation of such covered individual and such rein-
3 statement.

4 (c) EXPUNGEMENT.—The Secretary concerned shall
5 expunge, from the service record of a covered individual
6 or a member of the Armed Forces who received an adverse
7 action solely on the basis of such member to receive a vac-
8 cination against COVID-19, each reference to involuntary
9 separation, or to adverse action, solely on such basis.

10 (d) DEFINITIONS.—In this section:

11 (1) The term “adverse action” includes the fol-
12 lowing:

13 (A) Retaliation.

14 (B) Punishment.

15 (C) Disparate treatment.

16 (D) A requirement to wear a mask.

17 (E) A requirement to reside in sub-
18 standard housing.

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

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