

AMENDMENT TO H.R. 4350
OFFERED BY MR. GREEN OF TENNESSEE

At the appropriate place in title VII, insert the following:

1 **SEC. 7___ . PROHIBITION ON ADVERSE PERSONNEL AC-**
2 **TIONS TAKEN AGAINST CERTAIN MEMBERS**
3 **OF THE ARMED FORCES BASED ON DECLIN-**
4 **ING COVID-19 VACCINE.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) The Secretary of Defense has announced a
7 COVID-19 vaccine mandate will take effect for the
8 Department of Defense

9 (2) Many Americans have reservations about
10 taking a vaccine that has only been available for less
11 than a year.

12 (3) Reports of adverse actions being taken, or
13 threatened, by military leadership at all levels are
14 antithetical to our fundamental American values.

15 (4) Any discharge other than honorable denotes
16 a dereliction of duty or a failure to serve the United
17 States and its people to the best of the ability of an
18 individual.

1 (b) PROHIBITION.—Chapter 55 of title 10, United
2 States Code, is amended by inserting after section 1107a
3 the following new section:

4 **“§ 1107b. Prohibition on certain adverse personnel**
5 **actions related to COVID-19 vaccine re-**
6 **quirement**

7 “(a) PROHIBITION.—Notwithstanding any other pro-
8 vision of law, no adverse personnel action may be taken
9 against a member of an Armed Force under the jurisdic-
10 tion of the Secretary of a military department on the basis
11 of the member choosing not to receive the COVID-19 vac-
12 cine.

13 “(b) ADVERSE PERSONNEL ACTION DEFINED.—In
14 this section, the term ‘adverse personnel action’ includes
15 any discharge other than an honorable discharge.”.

16 (c) CLERICAL AMENDMENT.—The table of sections
17 for such chapter is amended by inserting after the item
18 relating to section 1107a the following new item:

“1107b. Prohibition on certain adverse personnel actions related to COVID-19
vaccine requirement”.

