

AMENDMENT TO H.R. 2670
OFFERED BY MR. BANKS OF INDIANA

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

1 **SEC. 5** ____. **PROTECTIONS FOR MEMBERS OF CERTAIN**
2 **ARMED FORCES WHO REFUSE TO RECEIVE**
3 **VACCINATIONS AGAINST COVID-19.**

4 (a) **PROHIBITION ON ADVERSE ACTION.**—The Sec-
5 retary of the military department concerned may not take
6 any adverse action against a member of a covered Armed
7 Force solely on the basis that such member refuses to re-
8 ceive a vaccination against COVID-19.

9 (b) **REINSTATEMENT.**—

10 (1) **REQUEST; CONSIDERATION.**—At the request
11 of a covered individual during the two years fol-
12 lowing the date of the involuntary separation of the
13 covered individual, the Secretary of the military de-
14 partment concerned shall consider reinstating such
15 covered individual—

16 (A) as a member of the covered Armed
17 Force concerned; and

1 (B) in the grade held by such covered indi-
2 vidual immediately before the involuntary sepa-
3 ration of the covered individual.

4 (2) TREATMENT OF PERIOD BETWEEN SEPARA-
5 TION AND REINSTATEMENT.—The Secretary of the
6 military department concerned shall treat the period
7 of time between the involuntary separation of a cov-
8 ered individual and the reinstatement of such cov-
9 ered individual under paragraph (1) as a period of
10 inactivation from active service under the following
11 provisions of section 710 of title 10, United States
12 Code:

13 (A) Subsection (b).

14 (B) Subparagraphs (B) through (D) of
15 paragraph (2) of subsection (f).

16 (C) Paragraph (4) of subsection (f).

17 (D) Subsection (g).

18 (c) DEFINITIONS.—In this section:

19 (1) The term “covered Armed Force” means
20 the Army, Navy, Marine Corps, Air Force, or Space
21 Force.

22 (2) The term “covered individual” means an in-
23 dividual involuntarily separated from a covered
24 Armed Force solely on the basis of the refusal of

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1 such individual to receive a vaccination against
2 COVID-19.

