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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to ensure that a member of the Armed Forces, granted a general discharge under honorable conditions on the sole basis that such member failed to obey a lawful order to receive a vaccine for COVID-19, is eligible for certain educational assistance administered by the Secretary of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To amend title 38, United States Code, to ensure that a member of the Armed Forces, granted a general discharge under honorable conditions on the sole basis that such member failed to obey a lawful order to receive a vaccine for COVID-19, is eligible for certain educational assistance administered by the Secretary of Veterans Affairs.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Vaccine Discharge
3 Parity Act”.

4 **SEC. 2. CERTAIN EDUCATIONAL ASSISTANCE FOR A MEM-**
5 **BER OF THE ARMED FORCES GRANTED A**
6 **GENERAL DISCHARGE UNDER HONORABLE**
7 **CONDITIONS ON THE SOLE BASIS THAT SUCH**
8 **MEMBER FAILED TO OBEY A LAWFUL ORDER**
9 **TO RECEIVE A VACCINE FOR COVID-19.**

10 (a) ALL-VOLUNTEER FORCE EDUCATIONAL ASSIST-
11 ANCE.—Section 3011(a)(3)(B) of title 38, United States
12 Code, is amended—

13 (1) by striking “an honorable discharge;” and
14 inserting an em dash; and

15 (2) by inserting at the end the following new
16 clauses:

17 “(i) an honorable discharge; or

18 “(ii) a general discharge under honor-
19 able conditions on the sole basis that the
20 individual failed to obey a lawful order to
21 receive a vaccine for COVID-19;”.

22 (b) POST-9/11 EDUCATIONAL ASSISTANCE.—Section
23 3311(e) of such title is amended by adding at the end the
24 following new paragraph:

25 “(5) A general discharge under honorable con-
26 ditions on the sole basis that the individual failed to

1 obey a lawful order to receive a vaccine for COVID-
2 19.”.

3 (c) LOAN FEES.—The loan fee table in section
4 3729(b)(2) of title 38, United States Code, is amended
5 by striking “January 14, 2031” each place it appears and
6 inserting “March 1, 2031”.