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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for an opportunity for members of the Armed Forces who were involuntarily or voluntarily separated for refusing to receive a COVID–19 vaccination to transfer the entitlement to educational assistance of such members to their dependents.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for an opportunity for members of the Armed Forces who were involuntarily or voluntarily separated for refusing to receive a COVID–19 vaccination to transfer the entitlement to educational assistance of such members to their dependents.

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 “Patriots Over Politics
3 Act”.

4 **SEC. 2. OPPORTUNITY OF CERTAIN MEMBERS OF THE**
5 **ARMED FORCES TO TRANSFER DEPARTMENT**
6 **OF VETERANS AFFAIRS ENTITLEMENT TO**
7 **EDUCATIONAL ASSISTANCE.**

8 Section 3319 of title 38, United States Code, is
9 amended by adding at the end the following new sub-
10 section:

11 “(m) DISCHARGE FOR REFUSAL TO RECEIVE
12 COVID–19 VACCINATION.—

13 “(1) IN GENERAL.—Notwithstanding any other
14 provision of law, during the 90-day period beginning
15 on the date of the enactment of this subsection, the
16 Secretary shall allow a covered eligible individual to
17 transfer to an eligible dependent under this section
18 the entitlement to educational assistance of the indi-
19 vidual as of the date on which such individual was
20 separated from the Armed Forces.

21 “(2) COMMENCEMENT OF USE.—Notwith-
22 standing subsection (g)(2)(A), in the case of entitle-
23 ment transferred to a child under this subsection,
24 the child may commence the use of the transferred
25 entitlement after the completion by the individual

1 making the transfer of at least six years of service
2 in the Armed Forces.

3 “(3) COVERED ELIGIBLE INDIVIDUAL.—In this
4 subsection, a covered eligible individual is an indi-
5 vidual described in subsection (b) who during the pe-
6 riod beginning on August 24, 2021, and ending on
7 January 10, 2023, was involuntarily or voluntarily
8 separated from an Armed Force solely on the basis
9 of the refusal of such individual to receive a vaccina-
10 tion against COVID–19.”.