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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To require the Secretary of Defense to conduct a study on members of the Armed Forces who separated from the Armed Forces due to the mandate to receive the COVID-19 vaccine and the transfer of education benefits by such members, and for other purposes

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To require the Secretary of Defense to conduct a study on members of the Armed Forces who separated from the Armed Forces due to the mandate to receive the COVID-19 vaccine and the transfer of education benefits by such members, 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 “COVID-19 Military
5 Mandate Transparency Act”.

1 **SEC. 2. STUDY ON SEPARATION OF MEMBERS OF THE**
2 **ARMED FORCES DUE TO THE MANDATE TO**
3 **RECEIVE THE COVID-19 VACCINE AND THE**
4 **TRANSFER OF EDUCATION BENEFITS BY**
5 **SUCH MEMBERS.**

6 (a) **STUDY.**—The Secretary of Defense shall conduct
7 a study on covered individuals and the transfer of edu-
8 cation benefits by covered individuals to covered depend-
9 ents.

10 (b) **REPORT.**—

11 (1) **REQUIREMENT.**—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense shall submit to the Committees on
14 Armed Services of the House of Representatives and
15 the Senate a report containing the results of the
16 study required by subsection (a). Such report shall
17 include—

18 (A) the number of covered individuals;

19 (B) the number of covered individuals who
20 initiated a transfer of education benefits to a
21 dependent in accordance with section 3319 of
22 title 38, United States Code, before separation;

23 (C) the number of covered individuals who
24 initiated such a transfer and did not complete
25 the years of service in the Armed Forces nec-
26 essary for such dependent to commence use of

1 such education benefits in accordance with such
2 section before separation;

3 (D) the number of members of the Armed
4 Forces who were denied a religious exemption
5 from the mandate to receive the COVID-19 vac-
6 cine during the period beginning on August 24,
7 2021, and ending on January 10, 2023;

8 (E) the number of covered individuals who
9 were denied such a religious exemption;

10 (F) the number of covered individuals who
11 returned to service in accordance with the
12 terms of Executive Order 14184 (relating to re-
13 instating service members discharged under the
14 military's COVID-19 vaccination mandate);

15 (G) the number of covered individuals who
16 returned to service in accordance with the
17 terms of Executive Order 14184 (relating to re-
18 instating service members discharged under the
19 military's COVID-19 vaccination mandate) who
20 initiated a transfer of education benefits to a
21 dependent in accordance with section 3319 of
22 title 38, United States Code, before separation
23 and return to service;

24 (H) the number of covered individuals who
25 returned to service in accordance with the

1 terms of Executive Order 14184 (relating to re-
2 instating service members discharged under the
3 military's COVID-19 vaccination mandate) who
4 initiated a transfer of education benefits to a
5 dependent in accordance with section 3319 of
6 title 38, United States Code, before separation
7 and return to service and completed the years
8 of service in the Armed Forces necessary for
9 such dependent to commence use of such edu-
10 cation benefits;

11 (I) the number of covered dependents;

12 (J) an analysis of the budgetary impact of
13 allowing each covered dependent to commence
14 use of education benefits that were transferred
15 to such covered dependent in accordance with
16 section 3319 of title 38, United States Code,
17 without regard to whether the covered indi-
18 vidual who transferred such education benefits
19 to such covered dependent completed the years
20 of service in the Armed Forces necessary for
21 such covered dependent to commence such use;
22 and

23 (K) any recommendations of the Secretary
24 to address the separation of covered individuals
25 and to ensure covered individuals receive appro-

1 pripate benefits as veterans of the Armed
2 Forces.

3 (2) DISAGGREGATION.—The Secretary of De-
4 fense shall disaggregate the elements of the report
5 required by paragraph (1) that are described in sub-
6 paragraphs (A) through (J) of such paragraph by—

7 (A) Armed Force in which the covered in-
8 dividual served;

9 (B) whether the covered individual served
10 in an active component or a reserve component;

11 (C) the grade of the covered individual;

12 (D) the years of service in the Armed
13 Forces of the covered individual at the time of
14 separation; and

15 (E) the characterization of the discharge of
16 the covered individual.

17 (c) PUBLIC AVAILABILITY.—Not later than 60 days
18 after the Secretary of Defense submits the report required
19 by subsection (b), the Secretary shall make such report
20 publicly available on the internet website of the Depart-
21 ment of Defense.

22 (d) DEFINITIONS.—In this section:

23 (1) COVERED DEPENDENT.—The term “covered
24 dependent” means a dependent of an individual
25 who—

1 (A) is a covered individual;

2 (B) initiated a transfer of education bene-
3 fits to such dependent in accordance with sec-
4 tion 3319 of title 38, United States Code; and

5 (C) did not complete the years of service in
6 the Armed Forces necessary for such dependent
7 to commence use of such benefits in accordance
8 with such section.

9 (2) COVERED INDIVIDUAL .—The term “cov-
10 ered individual” means an individual who, during
11 the period beginning on August 24, 2021, and end-
12 ing on January 10, 2023, was involuntarily or volun-
13 tarily separated from an Armed Force solely on the
14 basis of the refusal of such individual to receive a
15 vaccination against COVID–19.