

118TH CONGRESS
1ST SESSION

H. R. 291

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

JANUARY 11, 2023

Mr. FITZGERALD (for himself, Mr. BOST, Mr. POSEY, Mr. CRENSHAW, Mr. HUIZENGA, Mr. BAIRD, Mrs. MILLER-MEEKS, Mr. JACKSON of Texas, Mr. HUNT, Mr. MOORE of Alabama, Mr. MAST, and Mr. GAETZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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”.

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