

117TH CONGRESS
2D SESSION

S. 5177

To require the Comptroller General of the United States to conduct an audit of religious accommodations relating to the coronavirus disease 2019 for the Armed Forces to ensure all applicable laws, guidance, and policies were followed with respect to such accommodations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2022

Mr. SCOTT of Florida (for himself, Mr. BRAUN, Mr. LEE, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To require the Comptroller General of the United States to conduct an audit of religious accommodations relating to the coronavirus disease 2019 for the Armed Forces to ensure all applicable laws, guidance, and policies were followed with respect to such accommodations, 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 “Defending Religious
5 Accommodations for Military Members Act of 2022”.

1 **SEC. 2. COMPTROLLER GENERAL AUDIT OF RELIGIOUS AC-**
2 **COMMODATIONS RELATING TO COVID-19 FOR**
3 **THE ARMED FORCES.**

4 (a) IN GENERAL.—Commencing not later than 90
5 days after the date of the enactment of this Act, the
6 Comptroller General of the United States shall conduct
7 an audit of religious accommodations relating to the
8 coronavirus disease 2019 (in this section referred to as
9 “COVID-19”) for the Armed Forces to ensure all Federal
10 laws, and guidance and policies of the Department of De-
11 fense, the Department of Homeland Security (with respect
12 to the Coast Guard when it is not operating as a service
13 in the Department of the Navy), and each military depart-
14 ment, were followed with respect to such accommodations.

15 (b) ELEMENTS.—In conducting the audit required
16 under subsection (a), the Comptroller General shall—

17 (1) make a determination as to the reasons for
18 mass denial of religious accommodations relating to
19 COVID-19 across the Armed Forces, including a
20 comparative study of previous religious accommoda-
21 tions;

22 (2) analyze the handling by the Department of
23 Defense and the Department of Homeland Security
24 (with respect to the Coast Guard when it is not op-
25 erating as a service in the Department of the Navy)
26 of medical and administrative requests relating to

1 COVID–19 compared to religious accommodation re-
2 quests relating to COVID–19, to include concerns
3 raised by members of the Armed Forces who were
4 pregnant, trying to get pregnant, those who were
5 breastfeeding, and others;

6 (3) analyze the timeline of when each military
7 department mandated that members of the Armed
8 Forces take the COVID–19 comirnaty vaccine ap-
9 proved by the Food and Drug Administration and
10 when military medical treatment facilities had the
11 vaccine available for such members;

12 (4) analyze how the current number of involun-
13 tary discharges relating to COVID–19 vaccine man-
14 dates of the Department of Defense and the Depart-
15 ment of Homeland Security are negatively impacting
16 readiness across all branches of the Armed Forces
17 compared with the impacts of COVID–19 on mem-
18 bers of the Armed Forces, including hospitalizations
19 and deaths, which shall include an analysis of the
20 total number of members of the Armed Forces
21 scheduled to be discharged compared with impacts
22 of COVID–19 on members of the Armed Forces, in-
23 cluding hospitalizations and deaths;

24 (5) determine the extent to which COVID–19
25 vaccine mandates of the Department of Defense and

1 the Department of Homeland Security are negatively
2 impacting recruiting for the Armed Forces and in-
3 terest in joining the Armed Forces;

4 (6) determine the extent to which the Depart-
5 ment of Defense and the Department of Homeland
6 Security could have used options to retain members
7 of the Armed Forces who had reservations about the
8 COVID-19 vaccine, such as requiring frequent
9 COVID-19 testing, mask wearing, considering nat-
10 ural immunity, or other options so as not to impact
11 the readiness of the Armed Forces; and

12 (7) analyze any retaliation or retribution taken
13 by the Department of Defense or the Department of
14 Homeland Security, or any employee or officer of
15 the Department of Defense or the Department of
16 Homeland Security, with respect to any member of
17 the Armed Forces who was either granted a religious
18 accommodation relating to COVID-19, or who was
19 denied such an accommodation, but refused to take
20 the COVID-19 vaccine and was awaiting discharge
21 proceedings.

22 (c) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Comptroller General shall

- 1 submit to Congress a report containing the findings of the
- 2 audit conducted under subsection (a).

