

112TH CONGRESS  
1ST SESSION

# H. R. 1142

To amend title 10, United States Code, to ensure the equitable treatment of members of the Armed Forces and civilian employees of the Department of Defense who are killed or wounded in an attack, occurring outside of a combat zone, that targeted the members or employees on account of their status as members of the Armed Forces or civilian employees of the Department of Defense.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2011

Mr. WEST (for himself, Mr. GRIFFIN of Arkansas, Mr. NUGENT, Mrs. McMORRIS RODGERS, Mr. WESTMORELAND, Mr. ROSS of Florida, Mr. KISSELL, Mrs. ELLMERS, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to ensure the equitable treatment of members of the Armed Forces and civilian employees of the Department of Defense who are killed or wounded in an attack, occurring outside of a combat zone, that targeted the members or employees on account of their status as members of the Armed Forces or civilian employees of the Department of Defense.

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 “Global Combat Zone  
3 Recognition Act”.

4 **SEC. 2. TREATMENT OF MEMBERS OF THE ARMED FORCES**  
5 **AND CIVILIAN EMPLOYEES OF THE DEPART-**  
6 **MENT OF DEFENSE KILLED OR WOUNDED IN**  
7 **ATTACKS DIRECTED AT MEMBERS OR EM-**  
8 **PLOYEES OUTSIDE OF COMBAT ZONE.**

9       (a) IN GENERAL.—Chapter 53 of title 10, United  
10 States Code, is amended by inserting after section 1032  
11 at the end the following new section:

12 **“§ 1032a. Treatment of members of the armed forces**  
13 **and civilian employees of the Department**  
14 **of Defense killed or wounded in attacks**  
15 **directed at members or employees out-**  
16 **side of a combat zone**

17       “(a) TREATMENT.—For purposes of all applicable  
18 Federal laws, regulations, and policies, a member of the  
19 armed forces or civilian employee of the Department of  
20 Defense who was killed or wounded in an attack under  
21 the circumstances described in subsection (b) shall be  
22 deemed as follows:

23               “(1) In the case of a member, to have been  
24       killed or wounded in a combat zone.

1           “(2) In the case of a civilian employee, to have  
2           been killed or wounded while serving with the armed  
3           forces in a contingency operation.

4           “(b) COVERED ATTACKS.—

5           “(1) ATTACKS DESCRIBED.—Except as pro-  
6           vided in paragraph (2), an attack covered by sub-  
7           section (a) is any assault or battery resulting in bod-  
8           ily injury or death committed by an individual who  
9           the Secretary of Defense determines knowingly tar-  
10          geted—

11           “(A) a member of the armed forces on ac-  
12           count of the military service of the member or  
13           the status of member as a member of the  
14           Armed Forces; or

15           “(B) a civilian employee of the Depart-  
16           ment of Defense on account of the employee’s  
17           employment with the Department of Defense or  
18           affiliation with the Department of Defense.

19           “(2) GEOGRAPHIC EXCLUSION.—Subsection (a)  
20          does not apply to any attack that—

21           “(A) occurs in a combat zone; or

22           “(B) in the case of a civilian employee of  
23           the Department, occurs while the employee is  
24           serving with the armed forces in a contingency  
25           operation.

1       “(c) EXCLUSION OF CERTAIN INDIVIDUALS.—Sub-  
 2 section (a) shall not apply to a member of the armed  
 3 forces or civilian employee of the Department of Defense  
 4 whose death or wound as described in subsection (b) is  
 5 the result of the misconduct of the member or employee,  
 6 as determined by the Secretary of Defense.

7       “(d) DEFINITIONS.—In this section:

8               “(1) The term ‘armed forces’ does not include  
 9 the Coast Guard.

10              “(2) The term ‘combat zone’ means a combat  
 11 operation or combat zone designated by the Sec-  
 12 retary of Defense.”.

13       (b) CLERICAL AMENDMENT.—The table of sections  
 14 at the beginning of such chapter is amended by inserting  
 15 after the item relating to section 1032 the following new  
 16 item:

“1032a. Treatment of members of the armed forces and civilian employees of  
 the Department of Defense killed or wounded in attacks di-  
 rected at members or employees outside of a combat zone.”.

17       (c) RETROACTIVE APPLICATION TO CERTAIN EAR-  
 18 LIER ATTACKS ON MEMBERS OF THE ARMED FORCES OR  
 19 DOD CIVILIANS.—

20              (1) COVERED ATTACKS.—Section 1032a of title  
 21 10, United States Code, as added by subsection (a),  
 22 shall apply to the following:

23                      (A) The attack that occurred at Fort  
 24 Hood, Texas, on November 5, 2009.

1           (B) The attack that occurred at a recruit-  
2           ing station in Little Rock, Arkansas, on June  
3           1, 2009.

4           (C) The attack that occurred at the  
5           Frankfurt Airport, Germany, on March 2,  
6           2011.

7           (2) NOTIFICATION.—Not later than 60 days  
8           after the date of the enactment of this Act, the Sec-  
9           retary of Defense shall notify all members of the  
10          Armed Forces and civilian employees of the Depart-  
11          ment of Defense who were wounded in the attacks  
12          specified in paragraph (1) and the next-of-kin of  
13          members and civilian employees who were killed in  
14          such attacks of the availability of benefits as a result  
15          of the enactment of section 1032a of title 10, United  
16          States Code.

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