

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4791

To ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment, benefits, and honors as those Americans who have been killed or wounded in a combat zone overseas and their families.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2010

Mr. CARTER introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment, benefits, and honors as those Americans who have been killed or wounded in a combat zone overseas and their families.

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 “Fort Hood Victims  
5       and Families Benefits Protection Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) Fort Hood, Texas, has played a highly  
5 prominent role in the Global War on Terror, deploy-  
6 ing more members of the Armed Forces into over-  
7 seas theaters of combat since September 11, 2001,  
8 than any other United States military installation.

9 (2) The members of the Armed Forces and  
10 community of Fort Hood have answered the call to  
11 service with honor and distinction, and the post has  
12 paid a steep price, suffering more combat casualties  
13 in Operation Iraqi Freedom and Operation Enduring  
14 Freedom than any other United States military in-  
15 stallation.

16 (3) In the wake of the brutal September 11,  
17 2001, terrorist attacks on the United States, the  
18 Federal Government set a historical precedent when  
19 it awarded the victims of those attacks who were  
20 members of the Armed Forces with the Purple  
21 Heart medal and the victims of those attacks who  
22 were civilian employees of the Department of De-  
23 fense with the Secretary of Defense Medal for the  
24 Defense of Freedom.

1           (4) In the aftermath of the attack that occurred  
2           at Fort Hood, Texas, on November 5, 2009, this  
3           precedent should be followed.

4           (b) SENSE OF CONGRESS.—It is the sense of Con-  
5           gress that—

6           (1) any member of the Armed Forces or civilian  
7           employee of the Department of Defense who was  
8           killed or wounded in the attack that occurred at  
9           Fort Hood, Texas, on November 5, 2009, and the  
10          family members of those victims, should receive the  
11          same treatment and benefits as the victims and fam-  
12          ilies of victims of the September 11, 2001, terrorist  
13          attacks on the United States;

14          (2) these Americans have made tremendous  
15          sacrifices, and the United States should provide  
16          them with the maximum level of benefits available,  
17          identical to the level of benefits available to those  
18          who have been killed or wounded in an overseas  
19          combat zone such as Iraq or Afghanistan; and

20          (3) the Department of Defense should duly  
21          honor the Americans who were killed or injured in  
22          the attack at Fort Hood with awards that serve to  
23          recognize their physical sacrifices, including the Pur-  
24          ple Heart Medal for members of the Armed Forces  
25          and the Secretary of Defense Medal for the Defense

1 of Freedom for civilian employees of the Department  
2 of Defense.

3 **SEC. 3. TREATMENT OF MEMBERS OF THE ARMED FORCES**  
4 **AND CIVILIAN EMPLOYEES OF THE DEPART-**  
5 **MENT OF DEFENSE WHO WERE KILLED OR**  
6 **WOUNDED IN THE NOVEMBER 5, 2009, AT-**  
7 **TACK AT FORT HOOD, TEXAS.**

8 (a) TREATMENT.—For purposes of all applicable  
9 Federal laws, regulations, and policies, a member of the  
10 Armed Forces or civilian employee of the Department of  
11 Defense who was killed or wounded in the attack that oc-  
12 curred at Fort Hood, Texas, on November 5, 2009, shall  
13 be deemed as follows:

14 (1) In the case of a member, to have been killed  
15 or wounded in a combat zone as the result of an act  
16 of an enemy of the United States.

17 (2) In the case of a civilian employee of the De-  
18 partment of Defense—

19 (A) to have been killed or wounded while  
20 serving with the Armed Forces in a contingency  
21 operation; and

22 (B) to have been killed or wounded in a  
23 terrorist attack.

24 (b) EXCEPTION.—Subsection (a) shall not apply to  
25 a member of the Armed Forces whose death or wound as

- 1 described in that subsection is the result of the willful mis-
- 2 conduct of the member.

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