

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.

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

A BILL

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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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