

112TH CONGRESS  
1ST SESSION

# H. R. 2881

To provide compensation to relatives of Foreign Service members killed in the line of duty and the relatives of United States citizens who were killed as a result of the bombing of the United States Embassy in Kenya on August 7, 1998, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2011

Mr. WEST (for himself, Mr. THOMPSON of Mississippi, Mrs. BLACKBURN, Mr. MORAN, Mr. CARSON of Indiana, Mr. RANGEL, Mr. BURTON of Indiana, Ms. BROWN of Florida, Mr. PALAZZO, Mr. CONNOLLY of Virginia, Mr. TOWNS, Mr. HARPER, Ms. CLARKE of New York, Mr. HASTINGS of Washington, Ms. LEE of California, Mr. SCHIFF, Ms. BORDALLO, Mr. KING of New York, Mr. RIVERA, Mr. NUNNELEE, Mr. WALSH of Illinois, and Mr. GRIMM) introduced the following bill; which was referred to the Committee on Foreign Affairs, 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 provide compensation to relatives of Foreign Service members killed in the line of duty and the relatives of United States citizens who were killed as a result of the bombing of the United States Embassy in Kenya on August 7, 1998, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Service Line  
3 of Duty Death Gratuity Act of 2011”.

4 **SEC. 2. DEATH GRATUITY.**

5 Subsection (a) of section 413 of the Foreign Service  
6 Act of 1980 (22 U.S.C. 3973) is amended, in the first  
7 sentence, by inserting “or \$100,000, whichever is greater”  
8 after “one year’s salary at the time of death”.

9 **SEC. 3. INCREASED GROUP LIFE INSURANCE BENEFITS AP-**  
10 **PLICABLE TO THOSE KILLED IN THE LINE OF**  
11 **DUTY.**

12 (a) IN GENERAL.—Chapter 4 of the Foreign Service  
13 Act of 1980 (22 U.S.C. 3961 et seq.) is amended by add-  
14 ing at the end the following new section:

15 **“SEC. 415. INCREASED GROUP LIFE INSURANCE BENEFITS**  
16 **APPLICABLE TO THOSE KILLED IN THE LINE**  
17 **OF DUTY.**

18 “Notwithstanding the amounts specified in chapter  
19 87 of title 5, United States Code, a Foreign Service em-  
20 ployee (as such term is defined in section 413) or Govern-  
21 ment executive branch employee who is subject to the au-  
22 thority of the chief of mission pursuant to section 207 and  
23 is killed as a result of an act of violence in the line of  
24 duty, as determined by the Secretary, in an operation or  
25 area that the Secretary of State designates, in writing, as  
26 a combat operation or a zone of combat shall be deemed

1 to be insured under such chapter for \$400,000 if such  
2 amount is greater than the amount for which such em-  
3 ployee is otherwise insured under such chapter.”.

4 (b) CLERICAL AMENDMENT.—The table of contents  
5 in section 2 of the Foreign Service Act of 1980 is amended  
6 by inserting after the item relating to section 414 the fol-  
7 lowing new item:

“Sec. 415. Increased group life insurance benefits applicable to those killed in  
the line of duty.”.

8 **SEC. 4. REQUIREMENT TO PROVIDE COMPENSATION.**

9 (a) COMPENSATION REQUIREMENT.—

10 (1) IN GENERAL.—

11 (A) REQUIREMENT.—Notwithstanding the  
12 amount specified in subsection (a) of section  
13 413 of the Foreign Service Act of 1980, as  
14 amended by section 2 of this Act, the Secretary  
15 of State shall provide a death gratuity payment  
16 under such section in the amount specified in  
17 paragraph (2) of this subsection to the sur-  
18 viving dependents of a Foreign Service em-  
19 ployee (as such term is defined in such section  
20 413) or a Government executive branch em-  
21 ployee subject to the authority of the chief of  
22 mission pursuant to section 207 of the Foreign  
23 Service Act of 1980, or to an individual other-  
24 wise serving at a United States diplomatic or

1 consular mission abroad without a regular sal-  
2 ary, who was killed in the August 7, 1998,  
3 bombing of the United States Embassy in  
4 Nairobi, Kenya.

5 (B) DEADLINES.—Subject to available ap-  
6 propriations, the Secretary of State—

7 (i) shall make a partial payment of  
8 the death gratuity payment to eligible indi-  
9 viduals not later than 180 days after the  
10 date of the enactment of this Act; and

11 (ii) is authorized to make additional  
12 partial payments, as appropriations become  
13 available, until the compensation level re-  
14 quired under paragraph (2) has been satis-  
15 fied.

16 (C) MINIMUM PAYMENT.—The amount of  
17 the payment under subparagraph (B)(i) shall be  
18 equal to or greater than the \$4,000,000 pre-  
19 viously appropriated for such purpose by title I  
20 of the Department of State, Foreign Oper-  
21 ations, and Related Programs Appropriations  
22 Act, 2008 (division J of Public Law 110–161;  
23 121 Stat. 2277) under the heading “DIPLO-  
24 MATIC AND CONSULAR PROGRAMS”.

25 (2) COMPENSATION LEVEL.—

1           (A) SALARY MULTIPLE.—A payment pur-  
2           suant to paragraph (1) of a death gratuity pay-  
3           ment under section 413 of the Foreign Service  
4           Act of 1980 shall be in an amount equal to ten  
5           times the salary specified in subparagraph (B).

6           (B) CALCULATION OF SALARY.—For pur-  
7           poses of this paragraph, the salary of an indi-  
8           vidual used to determine payments under such  
9           section shall be \$94,000.

10       (b) AUTHORIZATION OF APPROPRIATIONS.—There  
11       are authorized to be appropriated to the Secretary of State  
12       such sums as may be necessary for purposes of making  
13       payments under this section, including amounts appro-  
14       priated by title I of the Department of State, Foreign Op-  
15       erations, and Related Programs Appropriations Act, 2008  
16       (division J of Public Law 110–161; 121 Stat. 2277) under  
17       the heading “DIPLOMATIC AND CONSULAR PROGRAMS”.

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