

114TH CONGRESS  
1ST SESSION

# S. 2374

To amend the Defense Base Act to require death benefits to be paid to a deceased employee's designated beneficiary or next of kin in the case of death resulting from a war-risk hazard or act of terrorism occurring on or after September 11, 2001.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 8, 2015

Mr. MARKEY (for himself and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Defense Base Act to require death benefits to be paid to a deceased employee's designated beneficiary or next of kin in the case of death resulting from a war-risk hazard or act of terrorism occurring on or after September 11, 2001.

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 "Glen Anthony Doherty  
5 Overseas Security Personnel Fairness Act".

1 **SEC. 2. DEFENSE BASE ACT AMENDMENT RELATING TO**  
2 **DEATH BENEFITS.**

3 The Defense Base Act (42 U.S.C. 1651 et seq.) is  
4 amended by adding at the end the following new section:

5 **“SEC. 6. DEATH BENEFITS.**

6 “(a) IN GENERAL.—In the case of a person covered  
7 by this Act who dies as a result of a war-risk hazard or  
8 act of terrorism, if there is no person eligible for a death  
9 benefit of the deceased under section 9 of the Longshore  
10 and Harbor Workers’ Compensation Act (33 U.S.C. 909),  
11 then the benefits provided under section 9(b) of such Act  
12 to a widow or widower of the deceased shall be paid—

13 “(1) to a beneficiary designated by the de-  
14 ceased; or

15 “(2) if there is no designated beneficiary, to the  
16 next of kin or the estate of the deceased under appli-  
17 cable State law.

18 “(b) PAYMENT OF BENEFITS.—Benefits found to be  
19 due under this section shall be paid from the compensation  
20 fund established by section 8147 of title 5, United States  
21 Code.

22 “(c) WAR-RISK HAZARD DEFINED.—In this section,  
23 the term ‘war-risk hazard’ has the meaning provided in  
24 section 201(b) of the War Hazards Compensation Act (42  
25 U.S.C. 1711(b)).

1       “(d) EFFECTIVE DATE.—The death benefit payable  
2 under this section shall apply with respect to deaths occur-  
3 ring on or after September 11, 2001.”.

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