

107TH CONGRESS
2D SESSION

H. R. 5448

To provide compensation for the families of noncombatants killed in United States military actions in Afghanistan after September 11, 2001.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2002

Mr. OWENS introduced the following bill; which was referred to the Committee on International Relations

A BILL

To provide compensation for the families of noncombatants killed in United States military actions in Afghanistan 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. FINDINGS.**

4 The Congress makes the following findings:

5 (1) Property and lives of some innocent persons
6 were destroyed as a result of the military operations
7 in Afghanistan. Since the operations were launched
8 to achieve the destruction of the Al Qaeda terrorist
9 network and the Taliban regime which harbored the
10 terrorists as well as acted in alliance with them, the

1 United States Government has worked strenuously
2 to avoid injury to civilians. Any destruction of civil-
3 ian lives and property has been accidental as a re-
4 sult of human error or unusual unforeseen cir-
5 cumstances.

6 (2) Collateral damage is a nearly inevitable part
7 of violent warfare. United States military forces do
8 not deny that there have been such losses in Afghan-
9 istan.

10 (3) In many instances, the victims of such acci-
11 dents of war can be identified and surviving relatives
12 can be identified. Such casualties are among the
13 people of the Afghanistan nation that the United
14 States Government has pledged to assist in the re-
15 building of the country.

16 (4) More than \$300,000,000 in aid has already
17 been distributed to the Afghan Government through
18 traditional channels. It is also understood that addi-
19 tional assistance is promised and planned for Af-
20 ghanistan.

21 (5) There is no prohibition against the provi-
22 sion of some portion of additional funds for Afghani-
23 stan through direct payments of compensation to in-
24 nocent war victims. Indeed, although this would be
25 a new and unusual conduit for foreign assistance, it

1 may prove to be more effective than traditional aid
2 distribution vehicles. Dollars directly to the people
3 may achieve a greater impact in the rebuilding of
4 the nation while at the same time reaping great ben-
5 efits in goodwill.

6 **SEC. 2. COMPENSATION FOR THE FAMILIES OF NON-**
7 **COMBATANTS KILLED IN UNITED STATES**
8 **MILITARY ACTIONS IN AFGHANISTAN.**

9 (a) IN GENERAL.—Notwithstanding any other provi-
10 sion of law, the Secretary of State, in consultation with
11 the Secretary of Defense and the Attorney General, shall
12 provide for the payment of compensation in the amount
13 of \$10,000 to the family of each noncombatant national
14 of Afghanistan who was killed as a direct result of United
15 States military actions in Afghanistan after September 11,
16 2001.

17 (b) ADMINISTRATION.—The Secretary of State
18 shall—

19 (1) administer the compensation program es-
20 tablished under this Act;

21 (2) promulgate all procedural and substantive
22 rules for the administration of this Act; and

23 (3) employ and supervise hearing officers and
24 other administrative personnel to perform the duties
25 of administering this Act.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary to carry out this Act.

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