

113TH CONGRESS
1ST SESSION

H. R. 705

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mr. CARTER (for himself, Mr. McCAUL, Mr. WOLF, Mr. BURGESS, and Mr. FLORES) 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

A BILL

To ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment and benefits 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 February 2011, the Committee on
17 Homeland Security and Governmental Affairs of the
18 Senate issued a report entitled “A Ticking Time
19 Bomb: Counterterrorism Lessons from the U.S.
20 Government’s Failure to Prevent the Fort Hood At-
21 tack”, which stated the following: “On November 5,
22 2009, 13 Americans—12 servicemembers and one ci-
23 vilian employee of DoD—were killed and 32 were
24 wounded in an attack at the military base at Fort
25 Hood, Texas. This tragedy was the deadliest ter-

1 rorist attack within the United States since Sep-
2 tember 11, 2001.”.

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

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

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

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

24 (a) TREATMENT.—For purposes of all applicable
25 Federal laws, regulations, and policies, a member of the

1 Armed Forces or civilian employee of the Department of
2 Defense who was killed or wounded in the attack that oc-
3 curred at Fort Hood, Texas, on November 5, 2009, shall
4 be deemed as follows:

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

8 (2) In the case of a civilian employee of the De-
9 partment of Defense—

10 (A) to have been killed or wounded while
11 serving with the Armed Forces in a contingency
12 operation; and

13 (B) to have been killed or wounded in a
14 terrorist attack.

15 (b) EXCEPTION.—Subsection (a) shall not apply to
16 a member of the Armed Forces whose death or wound as
17 described in that subsection is the result of the willful mis-
18 conduct of the member.

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