

116TH CONGRESS
2D SESSION

S. 4973

To amend the Central Intelligence Agency Act of 1949 to authorize the provision of compensation to personnel of the Central Intelligence Agency who incur disabilities resulting from certain injuries to the brain, to authorize the provision of compensation to personnel of the Department of State who incur similar disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 8, 2020

Ms. COLLINS (for herself, Mr. RUBIO, Mr. WARNER, Mrs. SHAHEEN, Mr. KING, Mr. SASSE, Mr. CORNYN, Mr. BURR, Mr. BENNET, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Central Intelligence Agency Act of 1949 to authorize the provision of compensation to personnel of the Central Intelligence Agency who incur disabilities resulting from certain injuries to the brain, to authorize the provision of compensation to personnel of the Department of State who incur similar disabilities, 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. AUTHORITY TO COMPENSATE PERSONNEL OF**
2 **CENTRAL INTELLIGENCE AGENCY FOR DIS-**
3 **ABILITIES RESULTING FROM CERTAIN INJU-**
4 **RIES TO THE BRAIN.**

5 (a) DEFINITIONS.—In this section:

6 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
7 TEES.—The term “congressional intelligence com-
8 mittees” has the meaning given such term in section
9 3 of the National Security Act of 1947 (50 U.S.C.
10 3003).

11 (2) COVERED DEPENDENT, COVERED EM-
12 PLOYEE, COVERED INDIVIDUAL, AND QUALIFYING
13 INJURY.—The terms “covered dependent”, “covered
14 employee”, “covered individual”, and “qualifying in-
15 jury” have the meanings given such terms in section
16 19A(a) of the Central Intelligence Agency Act of
17 1949 (50 U.S.C. 3519b(a)).

18 (b) COMPENSATION AUTHORIZED.—Section 19A of
19 the Central Intelligence Agency Act of 1949 (50 U.S.C.
20 3519b) is amended by adding at the end the following:

21 “(d) AUTHORITY TO COMPENSATE FOR DISABIL-
22 ITIES RESULTING FROM QUALIFYING INJURIES TO THE
23 BRAIN.—Notwithstanding any other provision of law, the
24 Director may provide compensation to a covered depend-
25 ent, a covered employee, and a covered individual who has
26 a partial or total disability—

1 “(1) resulting from a qualifying injury to the
2 brain; and

3 “(2) for which the covered dependent, covered
4 employee, or covered individual is not entitled to re-
5 ceive monthly compensation under section 8105 or
6 8106 of title 5, United States Code.”.

7 (c) APPLICABILITY.—Subsection (d) of such section,
8 as added by subsection (b) of this section, shall apply with
9 respect to a disability resulting from a qualifying injury
10 that occurs before, on, or after the date of the enactment
11 of this Act.

12 (d) REPORT.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this Act, the Di-
15 rector of the Central Intelligence Agency shall sub-
16 mit to the congressional intelligence committees a
17 report on the use of the authority provided by sec-
18 tion 19A(d) of such Act, as added by subsection (b)
19 of this section.

20 (2) CONTENTS.—The report submitted under
21 paragraph (1) shall include the following:

22 (A) A budget for the use of the authority
23 described in paragraph (1).

24 (B) Information relating to the use of the
25 authority described in paragraph (1).

1 (C) An assessment of whether any other
 2 legislative or administrative action is required
 3 to ensure that covered dependents, covered em-
 4 ployees, and covered individuals can receive
 5 compensation for any disability resulting from a
 6 qualifying injury, such as a qualifying injury to
 7 the back or heart.

8 (3) CLASSIFIED ANNEX.—The report submitted
 9 under paragraph (1) shall include a classified annex
 10 that includes the budget and information included
 11 under subparagraphs (A) and (B) of paragraph (2).

12 (e) CLARIFYING AMENDMENT.—Section 19A(b) of
 13 the Central Intelligence Agency Act of 1949 (50 U.S.C.
 14 3519b(b)) is amended, in the subsection heading, by in-
 15 serting “TOTAL DISABILITY RESULTING FROM” before
 16 “CERTAIN INJURIES”.

17 **SEC. 2. AUTHORITY TO COMPENSATE PERSONNEL OF DE-**
 18 **PARTMENT OF STATE FOR DISABILITIES RE-**
 19 **SULTING FROM CERTAIN INJURIES TO THE**
 20 **BRAIN.**

21 Section 901 of title IX of division J of the Further
 22 Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b)
 23 is amended—

24 (1) by redesignating subsections (c) through (h)
 25 as subsections (d) through (i), respectively;

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) OTHER INJURIES.—

4 “(1) IN GENERAL.—Notwithstanding any other
5 provision of law, the Secretary of State or other
6 agency head with an employee abroad under Chief of
7 Mission authority may provide compensation to a
8 covered dependent, a covered employee, and a cov-
9 ered individual who has a partial or total dis-
10 ability—

11 “(A) resulting from a qualifying injury to
12 the brain; and

13 “(B) for which the covered dependent, cov-
14 ered employee, or covered individual is not enti-
15 tled to receive monthly compensation under sec-
16 tion 8105 or 8106 of title 5, United States
17 Code.

18 “(2) REPORT.—Not later than 180 days after
19 the date of the enactment of this subsection, the
20 Secretary of State or other agency head with an em-
21 ployee abroad under Chief of Mission authority shall
22 submit to the Committee on Foreign Relations of
23 the Senate and the Committee on Foreign Affairs of
24 the House a report on the use of the authority pro-
25 vided by this subsection. The report shall include an

1 assessment of whether additional authorities are re-
 2 quired to ensure that covered dependents, covered
 3 employees, and covered individuals can receive com-
 4 pensation for any disability resulting from a quali-
 5 fying injury, such as a qualifying injury to the back
 6 or neck.”;

7 (3) in subsection (f), as redesignated by para-
 8 graph (1)—

9 (A) by striking “subsection (f)” each place
 10 it appears and inserting “subsection (g)”;

11 (B) in paragraph (1), by striking “of a em-
 12 ployee” and inserting “of an employee or
 13 former employee”; and

14 (C) in paragraph (2), by striking “means
 15 an employee” and inserting “means an em-
 16 ployee or former employee”;

17 (4) in subsection (g), as redesignated by para-
 18 graph (1), by striking “subsection (a) or (b)” both
 19 places it appears and inserting “subsection (a), (b),
 20 or (c)”;

21 (5) in subsection (i), as redesignated by para-
 22 graph (1)—

23 (A) in paragraph (1), by striking “IN GEN-
 24 ERAL.—This section” and inserting “ADJUST-

1 MENT OF COMPENSATION PROVISION.—Sub-
2 sections (a) and (b)’’;

3 (B) by redesignating paragraph (2) as
4 paragraph (3); and

5 (C) by inserting after paragraph (1) the
6 following new paragraph:

7 “(2) OTHER COMPENSATION PROVISION.—Sub-
8 section (c) shall apply with respect to a disability re-
9 sulting from a qualifying injury that occurs before,
10 on, or after the date of the enactment of such sub-
11 section.”.

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