

Representative John Carter
Statement before the House Armed Services Committee
April 14, 2011

Mr. Chairman and members of the Committee, I respectfully request that the House Armed Services Committee again consider incorporating the Fort Hood Victims and Families Benefits Protection Act into this year's Nation Defense Authorization Act. As you may recall, this Committee determined the well-being of the Fort Hood victims to be of sufficient concern that similar language - Section 619 - was included in last year's House-passed version of the NDAA. Unfortunately, the language was later removed, along with many other worthy provisions, in a last-ditch effort to get the NDAA passed.

As many of you know, Fort Hood has deployed more troops into overseas theaters of combat since September 11, 2001, than any other U.S. military installation. They have also suffered the most combat casualties in Operation Iraqi Freedom and Operation Enduring Freedom. The terrorist attack that rocked Fort Hood on November 5, 2009, resulted in the deaths of 13 service members and one DoD civilian employee, as well as 32 wounded. Recently, the incident was correctly labeled the "deadliest terrorist attack within the United States since September 11, 2001," by the Senate Committee on Homeland Security and Governmental Affairs report.

The language of the Fort Hood Victims and Families Benefits Protection Act would deem the Fort Hood attack, for the purposes of all applicable laws, regulations, and policies, to have occurred in a combat zone during a contingency operation, and at the hands of a terrorist and an enemy of the United States. In so doing, this legislation would afford the victims of the Fort Hood attack, which include both troops and civilians, the very same benefits as Service Members wounded or killed in combat zones or, as applicable, DoD civilians wounded or killed in "contingency operations" or terrorist attacks. One impact of these provisions - **does not require** - but makes eligible for the Purple Heart and comparable civilian award those Service Members and DoD civilians wounded or killed in the Fort Hood attack, to be awarded at the discretion of the

Secretary in accordance with Executive Orders 11016 and 12464. This does not change the existing Purple Heart criteria in any way.

As it stands, those killed and wounded in the Fort Hood attack by a homegrown Islamic extremist will not necessarily receive the same benefits as their deployed counterparts who are wounded or killed, merely because this attack took place on U.S. soil, rather than in a declared combat zone such as Afghanistan or Iraq. This addition to the National Defense Authorization Act would correct this inequity and provide the same treatment, benefits, and honors to the Fort Hood victims as to those Americans who have been killed or wounded in a combat zone. Furthermore, the Federal Government set a historic precedent when it provided the same benefits and awards to the victims of the September 11 terrorist attacks, and that important precedent should be followed for the Fort Hood victims.

Under this legislation, victims and families of victims of the Fort Hood attack could be made eligible for enhanced benefits including:

- Combat-related special compensation upon retirement
- Expenses incident to the death of a DoD civilian serving in a contingency operation
- Provisions relating to unearned portions of bonuses
- Special pay for subsection to hostile fire or imminent danger
- Combat-related injury rehabilitation pay
- Continuation of special pay during hospitalization/rehabilitation
- Payment for meals at military treatment facilities
- Provisions relating to deductions for pay
- Provisions relating to tax treatment of combat zone compensation
- Provisions relating to tax treatment of State payments
- Provisions relating to income tax of members who die in combat zone/attacks
- Provisions relating to selection of rate schedule to estate of members who die in combat zone or terrorist attack
- Postponement of time for action under internal revenue law

I am requesting this inclusion because those injured or killed in terrorist acts, whether in combat zones or on U.S. soil, have sacrificed their lives or health for this country and the very least we can do for their eternal sacrifice is ensure that they or their family will be taken care of and protected. Thank you for your consideration of this language to ensure all the Fort Hood victims and their families are appropriately compensated for their sacrifice.