119TH CONGRESS
2D SESSION

S. _____

To ensure the transparency and integrity of casualty accounting and benefits and awards for military and civilian personnel during military operations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. DUCKWORTH (for herself, Mrs. SHAHEEN, Mr. PETERS, Mr. HICKENLOOPER, Ms. HIRONO, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. BENNET, Mr. GALLEGO, Ms. BALDWIN, Mr. BLUMENTHAL, Ms. WARREN, Mr. KELLY, Mr. KIM, Ms. ALSOBROOKS, Mr. FETTERMAN, Mr. SCHATZ, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To ensure the transparency and integrity of casualty accounting and benefits and awards for military and civilian personnel during military operations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Honoring the Sacrifice of Troops in War Act of 2026''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) every member of the Armed Forces who dies or is wounded in hostilities is entitled to be counted, by name and in number, in the casualty records of the operation in which the member served;

(2) the United States Government owes to the fallen, to their families, and to history a complete, honest, and permanent accounting of every member of the Armed Forces killed or wounded in the service of the Nation, and no administrative reclassification may be permitted to obscure the human cost of war;

(3) accurate and complete casualty statistics are essential to the accountability of the executive branch to the American people and to the exercise by Congress of its constitutional powers to declare war, to raise and support Armies, to provide and maintain a Navy, and to appropriate funds;

(4) no reporting category, accounting methodology, or assertion that hostilities have ceased may be used to conceal from Congress or the American people the human cost of the military operations of the United States; and

(5) no false assertion that hostilities have ceased nor arbitrary termination of the designation

of an active contingency operation may be used to deny servicemembers, their families, or Department of Defense civilian employees the benefits and awards they are due for their support to active military operations.

SEC. 3. CONTINGENCY OPERATION DEFINED.

In this Act, the term ''contingency operation'' has the meaning given the term in section 101(a)(13) of title 10, United States Code, as amended by section 4 of this Act.

SEC. 4. INTEGRITY OF TIME PERIODS OF CONTINGENCY OPERATIONS.

Section 101(a)(13) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''The term'' and inserting ''(A) The term''; and

(3) by adding at the end the following new subparagraph:

''(B) The Secretary of Defense may not redesignate, rename, or reclassify an ongoing designated contingency operation if the facts and circumstances on the ground at the time and place of the potential reclassification meets the criteria of subparagraph (A)(ii) and involve members of the armed forces in-

volved in military actions, operations, or hostilities against the same enemy of the United States or opposing military force against which the original operation was conducted, including during or following an announced ceasefire, diplomatic negotiation, or change in operational phase.''.

SEC. 5. INTEGRITY OF CASUALTY RECORDS AND STATISTICS.

(a) IN GENERAL.—Subchapter I of chapter 75 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1472. Casualty records and casualty statistics: integrity; prohibition on manipulative reclassification

''(a) PUBLIC RECORD AND PROPER ATTRIBUTION OF CASUALTIES.—(1) The Secretary of Defense shall publish and update as frequently as practicable statistics about covered casualties and shall ensure that each covered casualty is attributed, in each casualty record and in each publication of casualty statistics of the Department of Defense (including the Defense Casualty Analysis System), to each specific military operation in support of which the member of the armed forces or civilian official concerned was serving at the time of the casualty.

''(2) Except as provided in subsection (b)(2), a covered casualty attributed to a designated military operation shall remain so attributed in the casualty records and cumulative casualty statistics of the Department of Defense. The establishment of a successor or additional designated military operation, or of any new or revised reporting category, shall not operate to remove, transfer, or reduce any attribution previously made.

''(b) PROHIBITION ON MANIPULATIVE RECLASSIFICATION.—(1) Except as provided in paragraph (2), the Secretary of Defense may not direct any component of the Department of Defense to modify a casualty record, reclassify a covered casualty, or change the casualty status or operation attribution of a covered casualty, or restart, reset, or rebase any cumulative count of casualties if the basis for doing so is a redesignation, renaming, or reclassification of an ongoing designated contingency operation that—

''(A) meets the criteria of section 101(a)(13)(B) of this title; and

''(B) involves members of the armed forces in military actions, operations, or hostilities against the same enemy of the United States or opposing military force against which the original operation was conducted, including during or following periods of

an announced ceasefire, diplomatic negotiation, or change in operational phase.

''(2) Paragraph (1) does not apply to a modification of a casualty record that—

''(A) corrects a demonstrable error of fact concerning the individual casualty, including an error as to the identity, unit, duty status, location, or cause of death or injury of the member concerned;

''(B) is documented in writing, including the specific facts establishing the error; and

''(C) is not based, in whole or in part, on a change in policy, methodology, or the structure or presentation of reporting categories, or on any assertion described in subsection (c).

''(c) ASSERTED CESSATION OF HOSTILITIES.—A covered casualty may not be excluded from attribution to a designated military operation, and may not be removed or transferred from such an attribution, on the basis of any assertion, determination, announcement, or agreement, whether by the President, the Secretary of Defense, any other officer or employee of the United States, or a foreign government, that hostilities associated with the operation have ceased, concluded, paused, or diminished, if the facts and circumstances on the ground at the time and place of the potential reclassification met the criteria of

section 101(a)(13)(B) of this title and involve members of the armed forces in military actions, operations, or hostilities against the same enemy of the United States or opposing military force against which the original operation was conducted.

''(d) DEFINITIONS.—In this section:

''(1) COVERED CASUALTY.—The term 'covered casualty' means, with respect to a member of the armed forces—

''(A) the death of the member while serving on active duty, or while serving in support of, or in the area of operations of, a designated military operation; or

''(B) a wound or injury of the member incurred in combat operations in the circumstances described in subparagraph (A).

''(2) CASUALTY RECORD.—The term 'casualty record' means any record of the Department of Defense documenting the death of a member of the armed forces or civilian official, or a wound or injury of such an individual, including any record in the Defense Casualty Analysis System or any individual casualty report.

''(3) DESIGNATED MILITARY OPERATION.—The term 'designated military operation' means a mili-

tary operation to which the Secretary of Defense or the commander of a command has officially designated a contingency operation under the conditions of section 101(a)(13) of this title.''.

(b) SUBCHAPTER HEADING.—The heading of subchapter I of chapter 75 of title 10, United States Code, is amended to read as follows: ''**SUBCHAPTER I—Death Investigations and Casualty Records**''

SEC. 6. RESTORATION OF CASUALTY RECORDS RELATING TO OPERATION EPIC FURY.

(a) RESTORATION.—Not later than 30 days after the date of enactment of this Act, the Secretary of Defense shall restore all casualty records and casualty statistics by the Department of Defense modified since February 28, 2026, to comply with section 1472 of title 10, United States Code, as added by section 5 of this Act.

(b) NOTICE TO NEXT OF KIN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the primary next of kin of each deceased or wounded member of the Armed Forces whose casualty record or operation attribution was modified during the covered period written notice of the restoration of the record or attribution required by subsection (a), and the reason for such restoration.

(c) COVERED PERIOD DEFINED.—In this section, the term ''covered period'' means the period beginning on February 28, 2026, and ending on the date of the enactment of this Act.

SEC. 7. INTEGRITY OF BENEFITS AND RECOGNITION DURING CONTINGENCY OPERATIONS.

Section 991 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PROHIBITION ON ALTERATION OF BENEFIT ELIGIBILITY BASED ON ADMINISTRATIVE REDESIGNATION OF CONTINGENCY OPERATIONS.—(1) The Secretary of Defense may not direct any component of the Department of Defense to modify, adjust, shorten, extend, pause, reset, or otherwise alter any deployment-related benefit eligibility if the basis for such modification is solely a redesignation, renaming, or reclassification of an ongoing designated contingency operation where the facts and circumstances on the ground at the time and place of potential redesignation meet the criteria of section 101(a)(13)(B) of this title and members of the armed forces are involved in military actions, operations, or hos-

tilities against the same enemy of the United States or opposing military force against which the original operation was conducted, including during or following periods of an announced ceasefire, temporary cessation of hostilities, diplomatic negotiation, or change in operational phase.

''(2) For purposes of paragraph (1), deployment-related benefit eligibility determinations shall continue to be calculated as if the original designation of the operation remained in effect, except as provided under paragraph (4).

''(3) Administrative changes to the naming, structuring, categorization, or classification of an ongoing designated operation shall not be considered a basis to alter the eligibility of any member of the armed forces or civilian personnel for any benefit, including awards or decorations, veterans' preference accrual, pay or leave entitlement, deployment-related threshold, or contingency military leave tied to service in that operation.

''(4) Nothing in this subsection prohibits adjustments to eligibility windows when such adjustments are—

''(A) explicitly required by statute;

''(B) necessary due to a substantive change in operational conditions, including commencement of hostilities against a new enemy or opposing force; or

''(C) authorized under subsection (a)(3) pursuant to a Secretary-approved deployment exception.

''(5) In this subsection, the term 'designated military operation' means a military operation to which the Secretary of Defense or the commander of a combatant command has officially designated a contingency operation under the conditions of section 101(a)(13) of this title.''.

SEC. 8. RESTORATION OF BENEFITS AND RECOGNITION FOR MILITARY AND CIVILIAN PERSONNEL SUPPORT TO OPERATION EPIC FURY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Defense shall restore all covered benefits to members of the Armed Services and civilian personnel who supported covered military operations since February 28, 2026, in order to comply with subsection (f) of section 991 of title 10, United States Code, as added by section 7 of this Act.

(b) NOTICE TO AFFECTED PERSONNEL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall provide to each member of the Armed Forces or civilian personnel whose covered benefits were modified during the covered period written notice of the restoration of benefits required by subsection (a), and of the reason for such restoration.

(c) DEFINITIONS.—In this section:

(1) COVERED BENEFITS.—The term ''covered benefits'' means benefits to which members of the Armed Forces and civilian personnel who support covered military operations are entitled, including Department of Defense awards or decorations, veterans' preference accrual, contingency military leave, or other benefits associated with special pay, leave, and tax authorities in titles 10, 37, and 5, United States Code, the Department of State Standardized Regulations, Internal Revenue Service combat zone regulations, and Office of Personnel Management policies that are triggered by the statutory definition of a contingency operation.

(2) COVERED PERIOD.—The term ''covered period'' means the period beginning on February 28, 2026, and ending on the date of the enactment of this Act.

(3) COVERED MILITARY OPERATIONS.—The term ''covered military operations'' means United States military activities against Iran from February 28, 2026, until the date of the enactment of this Act.