

In the Senate of the United States,

May 14, 2010.

Resolved, That the bill from the House of Representatives (H.R. 2711) entitled “An Act to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.”, do pass with the following

AMENDMENTS:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Special Agent Samuel*
3 *Hicks Families of Fallen Heroes Act”.*

4 ***SEC. 2. TRANSPORTATION AND MOVING EXPENSES FOR IM-***
5 ***MEDIATE FAMILY OF CERTAIN DECEASED***
6 ***FEDERAL EMPLOYEES.***

7 *(a) IN GENERAL.—Subchapter II of chapter 57 of title*
8 *5, United States Code, is amended by inserting after section*
9 *5724c the following:*

1 **“§ 5724d. Transportation and moving expenses for im-**
2 **mediate family of certain deceased Fed-**
3 **eral employees**

4 “(a) *IN GENERAL.*—Under regulations prescribed by
5 the President, the head of the agency concerned (or a des-
6 ignee) may determine that a covered employee died as a
7 result of personal injury sustained while in the performance
8 of the employee’s duty and authorize or approve the pay-
9 ment by the agency, from Government funds, of—

10 “(1) *any qualified expense of the immediate fam-*
11 *ily of the covered employee attributable to a change*
12 *in their place of residence, if the place where the im-*
13 *mediate family will reside following the death of the*
14 *employee is—*

15 “(A) *different from the place where the im-*
16 *mediate family resided at the time of the employ-*
17 *ee’s death; and*

18 “(B) *within the United States; and*

19 “(2) *any expense of preparing and transporting*
20 *the remains of the deceased to—*

21 “(A) *the place where the immediate family*
22 *will reside following the death of the employee; or*

23 “(B) *such other place appropriate for inter-*
24 *ment as is determined by the agency head (or*
25 *designee).*

1 “(b) *NO DUPLICATE PAYMENT OF EXPENSES.*—No ex-
 2 *penses may be paid under this section if those expenses are*
 3 *paid from Government funds under section 5742 or any*
 4 *other authority.*

5 “(c) *DEFINITIONS.*—For purposes of this section—

6 “(1) the term ‘covered employee’ means—

7 “(A) a law enforcement officer, as defined
 8 in section 5541;

9 “(B) any employee in or under the Federal
 10 Bureau of Investigation who is not described in
 11 subparagraph (A); and

12 “(C) a customs and border protection offi-
 13 cer, as defined in section 8331(31); and

14 “(2) the term ‘qualified expense’, as used with re-
 15 *spect to an immediate family changing its place of*
 16 *residence, means the transportation expenses of the*
 17 *immediate family, the expenses of moving (including*
 18 *transporting, packing, crating, temporarily storing,*
 19 *draying, and unpacking) the household goods and*
 20 *personal effects of such immediate family, not in ex-*
 21 *cess of 18,000 pounds net weight, and, when author-*
 22 *ized or approved by the agency head (or designee), the*
 23 *transportation of 1 privately owned motor vehicle.”.*

24 “(b) *NO RELEVANCE AS TO COMPENSATION CLAIMS.*—
 25 *No determination made under section 5724d of title 5,*

1 *United States Code, shall be deemed relevant to or be con-*
 2 *sidered in connection with any claim for compensation*
 3 *under chapter 81 of that title or under any other law under*
 4 *which compensation may be provided on account of death*
 5 *or personal injury, nor shall any determination made with*
 6 *respect to any such claim be deemed relevant to or be con-*
 7 *sidered in connection with any request for payment of ex-*
 8 *penses under such section 5724d.*

9 (c) *CLERICAL AMENDMENT.*—*The table of sections for*
 10 *chapter 57 of title 5, United States Code, is amended by*
 11 *inserting after the item relating to section 5724c the fol-*
 12 *lowing:*

“Sec. 5724d. Transportation and moving expenses for immediate family of cer-
tain deceased Federal employees.”.

Amend the title so as to read: “An Act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.”.

Attest:

Secretary.

11TH CONGRESS
2^D Session

H.R. 2711

AMENDMENTS