

Calendar No. 234

111TH CONGRESS
1ST SESSION**H. R. 2711**

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2009

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

DECEMBER 17, 2009

Reported by Mr. LIEBERMAN, with amendments

[Omit the part struck through and insert the part printed in italic]

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.

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 “Special Agent Samuel
5 Hicks Families of Fallen Heroes Act”.

1 **SEC. 2. TRANSPORTATION OF DEPENDENTS, REMAINS, AND**
2 **EFFECTS OF CERTAIN FEDERAL EMPLOYEES.**

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

6 **“§ 5724d. Transportation of dependents, remains, and**
7 **effects of certain Federal employees**

8 “(a) IN GENERAL.—Under regulations prescribed
9 under section 5738 and when the head of the agency con-
10 cerned (or a designee thereof) authorizes or approves, if
11 a covered employee dies while performing official duties
12 or as a result of the performance of official duties, the
13 agency may pay from Government funds—

14 “(1) the qualified expenses of the immediate
15 family of the employee, if the place where the family
16 will reside following the death of the employee is—

17 “(A) different from the place where the
18 family resided at the time of the employee’s
19 death; and

20 “(B) within the United States; and

21 “(2) the expenses of preparing and transporting
22 the remains of the deceased to—

23 “(A) the place where the immediate family
24 will reside following the death of the employee;

25 or

1 “(B) such other place, appropriate for in-
 2 terment, as is determined by the agency head
 3 (or designee).

4 “(b) QUALIFIED EXPENSES.—For purposes of this
 5 section, the term ‘qualified expenses’, as used with respect
 6 to a family changing its place of residence, means the mov-
 7 ing expenses, transportation expenses, and relocation ex-
 8 penses of the family which are attributable to the change
 9 in place of residence.

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

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

12 “(A) a law enforcement officer, as defined
 13 by *in* section 5541; ~~and~~

14 “(B) any employee in or under the Federal
 15 Bureau of Investigation who is not described in
 16 subparagraph (A); *and*

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

19 “(2) the term ‘moving expenses’, as used with
 20 respect to a family, includes the expenses of trans-
 21 porting, packing, crating, temporarily storing,
 22 draying, and unpacking the household goods and
 23 personal effects of such family, not in excess of
 24 18,000 pounds net weight; and

1 “(3) the term ‘relocation expenses’ has the
2 meaning given such term under regulations pre-
3 scribed under section 5738, including relocation ex-
4 penses and relocation services described in sections
5 5724a and 5724c, respectively.”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 57 of title 5, United States Code, is amended by insert-
8 ing after the item relating to section 5724c the following:

 “5724d. Transportation of dependents, remains, and effects of certain Federal
 employees.”.

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