

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 4310
OFFERED BY MR. HOLT OF NEW JERSEY**

At the end of subtitle F of title X insert the following new section:

**1 SEC. 1069. FEDERAL MORTUARY AFFAIRS ADVISORY COM-
2 MISSION.**

3 (a) ESTABLISHMENT.—There is established a Fed-
4 eral Mortuary Affairs Advisory Commission.

5 (b) PURPOSE.—The purpose of the Commission shall
6 be to advise the President, the Secretary of Defense, and
7 the Congress on the best practices for casualty notifica-
8 tion, family support, and mortuary affairs operations so
9 as to ensure prompt notification and compassionate and
10 responsive support for families who have lost
11 servicemembers, and for the honorable and dignified dis-
12 position of the remains of fallen servicemembers.

13 (c) SCOPE.—Within the Department of Defense, the
14 Commission shall examine, on an ongoing basis, all mat-
15 ters that encompass the notification of family members on
16 the death of a servicemember in said family; all family
17 support programs, policies, and procedures designed to as-
18 sist affected families; and all aspects of mortuary affairs

1 operations, including the final disposition of fallen
2 servicemembers.

3 (d) COMPOSITION.—

4 (1) MEMBERS.—The Commission shall consist
5 of 13 members, appointed as follows:

6 (A) One member appointed by the Presi-
7 dent of the United States.

8 (B) One member appointed by the Speaker
9 of the House of Representatives.

10 (C) One member appointed by the Minor-
11 ity Leader of the House of Representatives.

12 (D) One member appointed by the Major-
13 ity Leader of the Senate.

14 (E) One member appointed by the Minor-
15 ity Leader of the Senate.

16 (F) One member appointed by the Chair-
17 man of the House Committee on Veterans Af-
18 fairs.

19 (G) One member appointed by the Ranking
20 Member of the House Committee on Veterans
21 Affairs.

22 (H) One member appointed by the Chair-
23 man of the House Committee on Armed Serv-
24 ices.

1 (I) One member appointed by the Ranking
2 Member of the House Committee on Armed
3 Services.

4 (J) One member appointed by the Chair-
5 man of the Senate Committee on Veterans Af-
6 fairs.

7 (K) One member appointed by the Rank-
8 ing Member of the Senate Committee on Vet-
9 erans Affairs.

10 (L) One member appointed by the Chair-
11 man of the Senate Committee on Armed Serv-
12 ices.

13 (M) One member appointed by the Chair-
14 man of the Senate Committee on Armed Serv-
15 ices.

16 (2) TERM.—Each member shall serve a term of
17 three years.

18 (3) MEETINGS AND QUORUM.—After its initial
19 meeting, the Commission shall meet upon the call of
20 the chairman or a majority of its members. Seven
21 members of the Commission shall constitute a
22 quorum.

23 (4) CHAIRMAN AND VICE CHAIRMAN.—Upon
24 convening for its first meeting, the Commission

1 members shall elect by majority vote a chairman and
2 vice chairman of the Commission.

3 (5) VACANCIES.—Any vacancy in the Commis-
4 sion shall not affect its powers, but shall be filled in
5 the same manner in which the original appointment
6 was made.

7 (e) QUALIFICATIONS.—

8 (1) POLITICAL PARTY AFFILIATION.—Not more
9 than 5 members of the Commission shall be from
10 the same political party.

11 (2) NONGOVERNMENTAL APPOINTEES.—An in-
12 dividual appointed to the Commission may not be an
13 officer or employee of the Federal Government.

14 (3) OTHER QUALIFICATIONS.—At least four in-
15 dividuals appointed to the Commission should in-
16 clude family members who have direct experience
17 dealing with the loss of a servicemember that in-
18 volved interactions with the Dover Port Mortuary.
19 At least three individuals should have extensive pri-
20 vate or public sector experience in mortuary science,
21 operations, procedures, and decorum.

22 (f) DURATION.—The Commission shall have no expi-
23 ration date.

24 (g) MEETINGS AND REPORTS.—The Commission
25 shall hold regular public meetings, notification of which

1 shall appear in the Federal Register and on the Commis-
2 sion's website. Not less than annually, the Commission
3 shall provide a written report to the President, the Sec-
4 retary of Defense, and the Congress on—

5 (1) recommendations for improving casualty no-
6 tification, family support, and remains disposition;
7 and

8 (2) progress, or lack thereof, by the Depart-
9 ment of Defense in acting upon prior recommenda-
10 tions of the Commission. Said report shall also be
11 posted on the Commission's website for public in-
12 spection.

13 (h) INFORMATION FROM FEDERAL AGENCIES.—

14 (1) IN GENERAL.—The Commission is author-
15 ized to secure directly from any executive depart-
16 ment, bureau, agency, board, Commission, office,
17 independent establishment, or instrumentality of the
18 Government, information, suggestions, estimates,
19 and statistics for the purposes of this title. Each de-
20 partment, bureau, agency, board, Commission, of-
21 fice, independent establishment, or instrumentality
22 shall, to the extent authorized by law, furnish such
23 information, suggestions, estimates, and statistics di-
24 rectly to the Commission, upon request made by the
25 chairman, the chairman of any subcommission cre-

1 ated by a majority of the Commission, or any mem-
2 ber designated by a majority of the Commission.

3 (2) RECEIPT, HANDLING, STORAGE, AND DIS-
4 SEMINATION.—Information shall only be received,
5 handled, stored, and disseminated by members of
6 the Commission and its staff consistent with all ap-
7 plicable statutes, regulations, and Executive orders.

8 (i) ASSISTANCE FROM FEDERAL AGENCIES.—

9 (1) GENERAL SERVICES ADMINISTRATION.—
10 The Administrator of General Services shall provide
11 to the Commission on a reimbursable basis adminis-
12 trative support and other services for the perform-
13 ance of the Commission's functions.

14 (2) OTHER DEPARTMENTS AND AGENCIES.—In
15 addition to the assistance prescribed in paragraph
16 (1), departments and agencies of the United States
17 may provide to the Commission such services, funds,
18 facilities, staff, and other support services as they
19 may determine advisable and as may be authorized
20 by law.

21 (j) STAFF OF COMMISSION.—

22 (1) APPOINTMENT AND COMPENSATION.—The
23 chairman, in consultation with vice chairman, in ac-
24 cordance with rules agreed upon by the Commission,
25 may appoint and fix the compensation of a staff di-

1 rector and such other personnel as may be necessary
2 to enable the Commission to carry out its functions,
3 without regard to the provisions of title 5, United
4 States Code, governing appointments in the competi-
5 tive service, and without regard to the provisions of
6 chapter 51 and subchapter III of chapter 53 of such
7 title relating to classification and General Schedule
8 pay rates, except that no rate of pay fixed under this
9 subsection may exceed the equivalent of that payable
10 for a position at level V of the Executive Schedule
11 under section 5316 of title 5, United States Code.

12 (2) PERSONNEL AS FEDERAL EMPLOYEES.—

13 (A) IN GENERAL.—The executive director
14 and any personnel of the Commission who are
15 employees shall be employees under section
16 2105 of title 5, United States Code, for pur-
17 poses of chapters 63, 81, 83, 84, 85, 87, 89,
18 and 90 of that title.

19 (B) MEMBERS OF COMMISSION.—Subpara-
20 graph (A) shall not be construed to apply to
21 members of the Commission.

22 (3) DETAILEES.—Any Federal Government em-
23 ployee may be detailed to the Commission without
24 reimbursement from the Commission, and such
25 detailee shall retain the rights, status, and privileges

1 of his or her regular employment without interrup-
2 tion.

3 (4) CONSULTANT SERVICES.—The Commission
4 is authorized to procure the services of experts and
5 consultants in accordance with section 3109 of title
6 5, United States Code, but at rates not to exceed the
7 daily rate paid a person occupying a position at level
8 IV of the Executive Schedule under section 5315 of
9 title 5, United States Code.

10 (k) COMPENSATION AND TRAVEL EXPENSES.—

11 (1) COMPENSATION.—Each member of the
12 Commission may be compensated at not to exceed
13 the daily equivalent of the annual rate of basic pay
14 in effect for a position at level IV of the Executive
15 Schedule under section 5315 of title 5, United
16 States Code, for each day during which that member
17 is engaged in the actual performance of the duties
18 of the Commission.

19 (2) TRAVEL EXPENSES.—While away from
20 their homes or regular places of business in the per-
21 formance of services for the Commission, members
22 of the Commission shall be allowed travel expenses,
23 including per diem in lieu of subsistence, in the
24 same manner as persons employed intermittently in

- 1 the Government service are allowed expenses under
- 2 section 5703(b) of title 5, United States Code.

In the table of contents in section 2(b), insert after the item relating to section 1068 the following new item:

Sec. 1069. Federal mortuary affairs advisory commission.

