



Office of the Chair

**Statement of Chair Lina M. Khan
Regarding the Advanced Notice of Proposed Rulemaking
on the Funeral Industry Practices Rule
Commission File No. P034410**

October 20, 2022

People are at their most vulnerable when they are grieving. That was the insight behind the Funeral Rule, which took effect in 1984. The goal was to prevent consumers from being taken advantage of during a moment of deep grief and loss. Among other provisions, the Rule requires funeral homes to provide a clear list of prices for goods and services offered. This helps family members make informed decisions and avoid paying for things they don't need.

One challenge is that the Funeral Rule was crafted before the internet age, so it only applies in person or over the phone. Even though Americans today typically begin their shopping online, funeral providers are not required to list prices on their websites. The

visit or call multiple funeral homes just to compare prices.

The Advanced Notice of Proposed Rulemaking seeks comment on several concrete ways to modernize the Funeral Rule. This includes asking whether the Rule should require funeral providers to provide pricing information online or via email, which could help consumers make informed decisions during some of the most difficult moments of their lives. It could also better incentivize funeral homes to offer the most competitive prices. This would ultimately lower the expensive burden of putting a loved one to rest.²

I am pleased to support this effort, and I look forward to the public comments during our rulemaking proceeding.

¹ Robert Benincasa, *Despite Decades Old Law, Funeral Prices Are Still Unclear*, NPR (Feb. 8, 2017), <https://www.npr.org/2017/02/08/504031472/despite-decades-old-law-funeral-prices-are-still-unclear>.

² See, e.g. Joshua Slocum, *Death with Dignity? A Report on SCI/Dignity Memorial High Prices and Refusal to Disclose These Prices*, FUNERAL CONSUMERS ALLIANCE & CONSUMER FED. OF AMERICA (Mar. 2017), https://funerals.org/wp-content/uploads/2017/03/3-6-17-Funeral-SCI_Report.pdf; Joshua Slocum, *Death with Dignity? A Report on SCI/Dignity Memorial High Prices and Refusal to Disclose These Prices*, FUNERAL CONSUMERS ALLIANCE & CONSUMER FED. OF AMERICA (Mar. 2017), https://funerals.org/wp-content/uploads/2017/03/3-6-17-Funeral-SCI_Report.pdf.